

ORDINANCE NO. 4 - 2014

**AN ORDINANCE RELATING TO ADOPTION OF THE
FRANKLIN COUNTY ADMINISTRATIVE CODE**

Whereas, the Franklin County Fiscal Court recognizes that it has an outdated Administrative Code; and

Whereas, Franklin County Fiscal Court recognizes that its overall administrative and personnel operations will be enhanced by the adoption of a new Administrative Code;

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE
COUNTY OF FRANKLIN, COMMONWEALTH OF KENTUCKY:

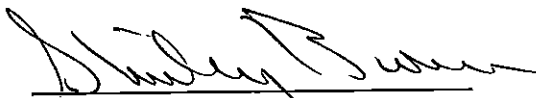
That the Franklin County Administrative Code be and is hereby adopted
to become effective upon adoption. A copy of the Code is attached hereto
and made a part of this Ordinance.

INTRODUCED AND GIVEN FIRST READING IN SUMMARY at a duly convened
meeting of the Fiscal Court of Franklin County, Kentucky, held on the 11 day of
July, 2014.

GIVEN SECOND READING AND APPROVED at a duly convened meeting of the Fiscal
Court of Franklin County, Kentucky, held on the 31 day of July,
2014 and of record in Fiscal Court Order Book 26, Page 71.


Ted Collins
County Judge/Executive

ATTESTED TO:


Shirley Brown
Fiscal Court Clerk

INTRODUCTION

PURPOSE AND AUTHORITY

House Bill 33 dated Thursday, February 23, 1978, was enacted by the General Assembly of the Commonwealth of Kentucky to create a new Section of KRS 68 for the purpose of sound and efficient administration of county government. Also, in 1986 Senate Bill 352 amended KRS 68.005 to include among other things an annual review of the county administrative code.

Kentucky Revised Statutes Chapter 68.005, as amended states:

1. The Fiscal Court shall adopt a county administrative code which includes, but not limited to, procedures and designation of responsibility for:
 - a. General administration of the office of County Judge/Executive, county administrative agencies and public authorities;
 - b. Administration of the County affairs, including budget formulation, receipt and disbursement of county funds and preparation of records required for the county audit, and for filing of claims against the county;
 - c. Personnel administration, including description and classification of the non-elected positions, selection, assignment, supervision and discipline of employees, employee complaints;
 - d. County purchasing and award of contracts; and
 - e. Delivery of all county services.
2. The Fiscal Court shall review the county administrative code annually during the month of June and may by a two - thirds majority of the entire Fiscal Court amend the County Administrative Code at that time, the County Judge/Executive may at other times prepare and submit amendments to the code for the approval of the majority of the Fiscal Court.

The County Judge/Executive, as the chief executive officer of the County, is directly responsible for the organization and management of the administrative functions of the County government. While it is the Fiscal Court which determines County needs, policies, and priorities for meeting those needs, the County Judge/Executive must see that these policies and priorities are effectively and properly executed.

The Statutes provide only general guidance as to the form and substance of a County's internal administrative organization.

This code, if continually monitored by the County Judge/Executive and the County Fiscal Court, will provide the intended objective. This code should not be confused with an employment contract and is in no way intended to be one. Employees need to understand and realize that the

Commonwealth of Kentucky, by law, is an “at will” state which means that employees work at the will of their employer, in this case, Franklin County.

The importance and objective of this review and monitoring by County officials is to maintain a viable code that provides the necessary substance for appropriate internal administrative control consistent with the statutory requirements and local needs. Close adherence to this code will ensure that this objective is maintained.

It should be noted, this code (all parts) is not a contract for employment and is not intended to be such (Kentucky is an “at will” state). This code provides a comprehensive tool for administration that is consistent with statutory requirements. This code provides limitations, general rules, guidelines, etc., as well as the desires of the community as represented by the members of the Fiscal Court.

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CHAPTER 1

GENERAL ADMINISTRATION

Section 1.1: County Judge/Executive

The County Judge/Executive shall be the chief executive of the County and shall have all the powers and perform all the duties of an executive and administrative nature consistent with the Kentucky Constitution and the Kentucky Revised Statutes.

The responsibilities and duties of the County Judge/Executive are defined in KRS 67.710.

Additional responsibilities of the County Judge/Executive are found in KRS 67.715, which includes organization of county functions, special districts and county representation.

The County Judge/Executive may appoint office personnel as permitted by KRS 67.710 and consistent with the classification and compensation plan.

Section 1.2: Appointment Procedures for Deputy Judge/Executive

The County Judge/Executive shall designate by written executive order, within thirty days of assuming office, a Deputy Judge/Executive who shall serve consistent with KRS 67.711 as Judge/Executive in the absence of the County Judge/Executive.

The County Judge/Executive shall be deemed absent when he/she is physically absent from the County, physically disabled, or prevented by other emergency beyond control which would prevent from physically attending meetings of the Fiscal Court. A vacation, including one taken within the County, shall be considered an absence.

Such appointment of a Deputy Judge/Executive shall continue until such time as the County Judge/Executive publishes a written revocation of the appointment or makes a new appointment or upon the resignation of the Deputy County Judge/Executive.

The Deputy Judge/Executive shall have all administrative powers and authority as the County Judge/Executive. The Deputy Judge/Executive shall not chair or vote on the Fiscal Court.

Section 1.3: Procedures for Appointment/Removal of Administrative Personnel and Members of Boards and Commissions

The County Judge/Executive shall nominate qualified persons to serve in administrative positions and on boards and commissions. Such appointments may be placed on the agenda of any regular or special meeting of the Fiscal Court. If state law requires approval by the Fiscal Court of the nomination, the Fiscal Court shall act on such nomination within sixty (60) days. If the Fiscal Court does not act on the nomination within the sixty (60) day time period said nomination will be deemed rejected by the Fiscal Court. A majority of the Fiscal Court members present at a meeting shall vote in favor of the nomination in order for it to be approved.

The Fiscal Court may require the nominee to appear at a public hearing for the purpose of questioning about matters related to the position for which he/she has been nominated. The nominee will be notified by mail if this is the Court's intention. The Fiscal Court shall provide the nominee with an opportunity to make a statement concerning his/her nomination and qualifications.

No person shall be selected as a member of a board or commission or for an administrative position if that person holds or is employed in a position that is incompatible with the one for which they are nominated.

In the event the Fiscal Court rejects the nominee, the County Judge/Executive shall submit additional nominations, not to exceed ten for any one position; and if Fiscal Court rejects all ten, the County Judge/Executive shall appoint a person to serve on a temporary basis, not to exceed one year.

When state law does not require Fiscal Court approval of an appointment, the County Judge/Executive shall make that appointment. Within thirty days (30) of making the appointment, the County Judge/Executive shall notify the Fiscal Court in writing of the appointment. The notice may be filed with the County Clerk.

Before any administrative personnel, board or commission member may be dismissed; that person shall be presented, in writing, a list of reasons setting forth the basis for the dismissal. The notice shall be delivered via certified mail to the individual being dismissed. The County Judge/Executive shall conduct a termination conference no sooner than three (3) and no later than twenty-one (21) days after receipt of the reason for dismissal. At the conference, the person being dismissed will have the opportunity to respond, to be represented by counsel, and to call witnesses. The County Judge/Executive shall issue a written opinion, which shall contain the findings of fact and his/her determination, and shall cause a copy of it to be provided contemporaneously to members of the Fiscal Court.

Section 1.4: Procedures for Organization/Reorganization of County Departments and Agencies

- A. The Franklin County Judge/Executive shall submit to the Fiscal Court a written plan, which describes the service and functions to be performed by each department, agency, commission or special district both current and proposed.
- B. The plan shall include an organizational chart showing the relationship of each department, agency, commission or special district to others and the lines of authority. The chart shall be maintained in current condition and shall be available for public viewing and inspection during normal office hours.
- C. The reorganization plan shall be submitted to the Fiscal Court for approval and available for public review fifteen (15) days prior to its effective date.

Section 1.5: Procedures and Reports to Fiscal Court by County Administrative Agencies and Public Authorities

- A. All county administrative agencies and public authorities subject to the Fiscal Court by law shall submit monthly a list to the County Judge/Executive of any citizen complaints during the preceding month, and include steps taken to correct the situation. The County Judge/Executive may request such reports be filed more often.
- B. Each administrative agency and public authority authorized and established by the County shall submit an annual report to the County Judge/Executive within seventy-five (75) days after the close of each fiscal year. The report must include at a minimum:
 - (1) A descriptive narrative of the functions and activities of the authority.
 - (2) Those items required by KRS 65.070 (1) (a) 1, 2, 3 and 4 in full with each report, with evidence of filing with the County Clerk's office by the first day of July each year.
- C. Each administrative agency and public authority shall file a copy of its annual budget and audit with the County Judge/Executive as required by KRS 65.070 (1) (b).
- D. All meetings of the boards, commissions, public authorities and special districts shall be open to the public, unless exempt by KRS 61.810. A record of the proceedings of each meeting shall be maintained in the form of minutes and be available for public inspection.

- E. The County Judge/Executive shall make a verbal report with recommendation to the Fiscal Court at the next meeting following the receipt of any of the above-required reports. Prior to the court meeting described herein, the report shall be made available to the Fiscal Court for review.

Section 1.6: Executive Committee

As used herein for Purposes of Grievance Hearings, the Executive Committee of the Franklin County Fiscal Court shall consist of three (3) magistrates and the Chair of the Franklin County Ethics Committee. The magistrates shall serve as follows: Magistrates from District 1, 3, and 5 shall serve during the first two (2) years of their elected term, beginning January 1 of their term. Magistrates from District 2, 4, and 6 shall serve the second two (2) years of their elected term, beginning January 1 of the third year of their term. In the event of a vacancy, upon appointment, the successor magistrate shall fulfill the remainder of the two (2) year term. A quorum shall consist of three (3) members of the Committee.

CHAPTER 2

FINANCIAL MANAGEMENT

Section 2.1: Budget Preparation Procedures

County Judge/Executive Responsibilities

- A. The County Judge/Executive shall prepare a proposed budget for review and adoption by the Fiscal Court as provided in KRS Chapter 68.240, as well as any rules and regulations prescribed by the State Local Finance Officer.
- B. On or before April 1 of each year, every county agency, department, public authority and county office that receives county funds shall submit to the County Judge/Executive a written budget request showing the amount of funds requested and brief explanation of need.
- C. On or before April 1 of each year the County Judge/Executive, County Treasurer and Jailer shall prepare and submit a Jail budget to the Fiscal Court, as required by KRS 441.215.
- D. The County Judge/Executive shall submit the complete proposed budget in ordinance form for a first reading before the Fiscal Court no later than May 1 of each year.
- E. The County Judge/Executive shall cause a copy of the proposed budget to be posted in a conspicuous place in the Fiscal Court Building and the Franklin County Courthouse near the front door ten (10) days before final adoption, and shall contemporaneously publish the proposed budget on the County website.
- F. The County Judge/Executive shall advertise the notice of adoption of the budget ordinance in the local newspaper of general circulation in Franklin County and on the County website at least seven (7), but not more than twenty-one (21) days before final adoption by the Fiscal Court.
- G. The Franklin County Judge/Executive shall publish a summary of the budget ordinance in a newspaper of general circulation in Franklin County and on the County website at least ten (10) days before final adoption by the Fiscal Court. Note: This and the proceeding notice may be advertised together, so long as the time requirements are correct.
- H. The County Judge/Executive shall certify to the State Local Finance Officer a copy of the original budget ordinance as approved by his/her

office within fifteen days (15) of adoption, indicating clearly all changes made by Fiscal Court.

- I. Following action by Fiscal Court, but not later than June 10, the County Judge/Executive shall submit two copies of the budget to the State Local Finance Officer for approval as to form and classification.
- J. Within thirty days of adoption of the budget ordinance by the Fiscal Court, the County Judge/Executive shall cause a summary of the budget ordinance to be published in a newspaper of general circulation in the County and on the County website.
- K. The Franklin County Judge/Executive shall maintain a copy of the budget as adopted, together with any amendments adopted thereafter, for public inspection and shall publish same on the County website.

Fiscal Court Responsibilities

- A. Not later than June 1 of each year, the Fiscal Court shall review in detail the proposed budget, including the Jail budget that the County Judge/Executive has prepared and submitted.
- B. The Fiscal Court shall make comments, amendments, and tentatively approve the proposed budget by reading it publicly. This shall take place prior to the County Judge/Executive submitting the budget to the State Local Finance Officer.
- C. The budget shall be reviewed and approved by the State Local Finance Officer then submitted to the Fiscal Court for adoption not later than June 10, after receipt of the certified assessment from the Department of Revenue, as provided by KRS 132.180, whichever shall be later.

Section 2.2: Budget Hearing Procedures and Requirements

- A. During the county budget preparation process, the Fiscal Court shall conduct a public hearing on the County Road Aid (CRA) fund. The procedure shall be as follows:
 - (1) Publish notice of the proposed use hearing on the CRA Fund at least seven (7) days but no more than twenty-one (21) days in advance of the scheduled hearing.
 - (2) Copies of the published notice and written minutes of the hearing shall be maintained by the County Judge/Executive as public record.

- B. Prior to adoption of the county budget and submittal to the State Local Finance Officer, a budget hearing shall be conducted by the Fiscal Court on the Local Government Economic Assistance (LGEA) Fund. The hearing process required for the adoption of these two funds may be coordinated in such a manner that both requirements (CRA and LGEA) are addressed at the same hearing. The proceedings for LGEA hearing shall be as follows:
- (1) Notice of the budget hearing shall be published at least seven days but no more than twenty-one (21) days prior to the schedule hearing.
 - (2) Copies of the published notice and written minutes of the hearing shall be maintained by the County Judge/Executive.

Section 2.3: Procedures and Duties of the County Treasurer

- A. The County Treasurer shall keep records and make reports as set forth in KRS 68.210, 68.020, 68.360 and 68.480. Also, the County Treasurer shall maintain the following records as required by the Uniform System of Accounts for counties. The requirements are subject to change.
- (1) Cash Receipts Journal and Cash Receipts Ledger
 - (2) Check Distribution Ledger
 - (3) Appropriation Ledger
 - (4) General Ledger
 - (5) Investment Journal
 - (6) Subsidiary Ledgers and Journals
 - (7) Account of each individually:
 - a. General Fund
 - b. Road and Bridge Fund
 - c. Jail Fund
 - d. LGEA Fund
 - e. Special accounts as may be necessary
- B. Prepare financial reports for the Fiscal Court and Jailer each month pursuant to KRS 68.360 and 441.235.
- C. Prepare a quarterly financial statement for the State Local Finance Officer.
- D. Prepare and publish an annual financial statement pursuant to KRS 424.220.
- E. Countersign checks per the following conditions:
- (1) Claim has been reviewed by the Fiscal Court,

- (2) There is a sufficient fund balance and cash in the bank to cover the check, and
 - (3) There is adequate free balance in a properly budgeted appropriation account to cover the check.
- F. The County Treasurer is the sole officer bonded to receive and disburse county funds.

Section 2.4: Procedures for Fiscal Administration

County Judge/Executive

- A. The County Judge/Executive is responsible for administering the provisions of the County Budget Ordinance when adopted by the Fiscal Court. All or part of the financial management duties may be assigned to a finance officer whose job description shall include, but not be limited to:
 - (1) Receipt of all claims against the county,
 - (2) Prepare and submit a master claims list to the Fiscal Court for review,
 - (3) Prepare checks on claims reviewed by the Fiscal Court,
 - (4) Co-sign all checks with County Treasurer,
 - (5) Maintain an appropriations ledger,
 - (6) Prepare a quarterly financial statement, which shall be transmitted to the Fiscal Court and State Local Finance Officer, as well as posted in a conspicuous place near the front door of the courthouse and Fiscal Court Building.
 - (7) Present the quarterly financial statement at the next Fiscal Court meeting,
 - (8) Reconcile the appropriation ledger with the treasurer's appropriation ledger at least once a month,
 - (9) Issue purchase orders and maintain a purchase order ledger, and
 - (10) Maintain time and attendance records, including vacation, sick leave, etc.
- B. The County Judge/Executive shall pay all financial claims against the county after approval by the Fiscal Court. However, some claims as outlined in Section 2.5 may be paid prior to Fiscal Court approval. All such claims shall be within the line item amounts of the county budget.
- C. The County Judge/Executive shall be responsible for preparing and signing all warrants directing the County Treasurer to make payment authorized by Fiscal Court and maintaining a record of such warrants.
- D. At the close of each fiscal year, the County Judge/Executive shall prepare records necessitated by the annual county audit. The annual audit shall be

conducted either by the State Auditor of Public Accounts or a certified public accountant.

Section 2.5: Claims Against the County

- A. The County Judge/Executive shall account for all claims against the County.
- B. Anyone with a claim for payment from county funds shall file it in writing in the office of the County Judge/Executive.
- C. Each claim shall be recorded by date of receipt and presented to the Fiscal Court at its next regular meeting.
- D. Each claim shall designate the budget fund and classification from which the claim will be paid, and each warrant shall specify the budget fund and classification.
- E. The payroll for county officials, employees, utility bills and recurring expenses, such as interest and principal on bonded debt, are not required to be approved by the Fiscal Court prior to payment. However, all such paid expenses shall be presented to the Fiscal Court for approval at the next regular meeting. This procedure is intended to expedite financial management of the County, but may be changed by the Fiscal Court. The Court, for good cause shown, may order that a claim not be paid.

CHAPTER 3

PERSONNEL ADMINISTRATION

PART I: POLICIES AND PROCEDURES

General Provisions

Section 3.1: Statement of Purpose

- A. The Franklin County Fiscal Court recognizes that a personnel system, which recruits and retains competent, dependable personnel, is indispensable to effective and efficient county government. The administrative code is not a contract for employment and is not intended to be. Kentucky is an “at will” state by law and employees of Franklin County shall be aware that Chapter 3 of this code is not to be interpreted as a contract or confused with one. An acknowledgment of receipt shall be signed and placed in the personnel file of every employee.
- B. The policies set forth herein are intended to implement the Personnel System by providing procedures for:
 - 1. Classifying positions in the county service
 - 2. Recruiting personnel for that service
 - 3. Compensating employees equitably for their service

Section 3.2: Personnel Administration

- A. The Franklin County Judge/Executive, pursuant to KRS 67.710, shall administer the personnel system set forth herein.
- B. In addition to other duties as set forth in these policies and procedures, the County Judge/Executive shall ensure that subsequent amendments or additions by the Fiscal Court be made as follows:
 - 1. Immediately upon official amendment, the change(s) shall be written in a manner and format consistent with these policies and procedures,
 - 2. The amending ordinance shall be recorded in this administrative code; and
 - 3. A memorandum explaining the change(s) with the amendment attached shall be distributed to all personnel assigned custody of a copy of the policy and procedures Section of this code and shall be published on the County’s website.

The County Judge/Executive shall conduct an annual review of the personnel policy and procedures manual, preferably during the budget preparation process.

Section 3.3: Scope of Coverage

The Franklin County Administrative Code, Chapter 3 (Personnel Administration) as adopted by the Fiscal Court is applicable to all persons employed to positions at all levels in county government, with the exception of the following:

- A. Elected officials
- B. Employees of the Sheriff, County Clerk, County Attorney, Jailer, and Coroner unless expressly requested by the elected official in writing
- C. Members of boards and commissions
- D. Consultants, advisors and counsel rendering temporary professional services
- E. Independent contractors
- F. Temporary or seasonal employees

Section 3.4: Personnel Records

- A. Beginning the first day of employment, all new employees shall report to the Payroll Administrator/Human Resources Director to complete personnel records, execute payroll-withholding authorization, and enroll in the applicable employee benefit programs.
- B. A personnel file, maintained by the County Judge/Executive, shall be created for each applicable employee as set forth in Section 3.3 above. All relevant information, including application forms, resume, evaluation forms, disciplinary or commendation memoranda, and any other material deemed relevant to the employee's permanent record will be kept in the personnel file which shall be accessible to each respective employee and maintained in the executive offices at the Fiscal Court Building.
- C. It shall be the obligation of the employee and the first line supervisor to maintain current information in the personnel file by notifying the Human Resources Director of all changes in personal or family status, home address, home telephone number or any other changes which would affect payroll withholding or employee benefits. Supervisors shall forward any commendations, promotions or disciplinary actions to the County Judge/Executive for filing in the employee's individual personnel file.

- D. Every change in the status of the employee shall be recorded in the personnel file.

Section 3.5: False Credentials

If it should come to the attention of the County Judge/Executive, either during the probationary period or thereafter, that an employee was hired on the basis of false credentials, the employee shall be subject to disciplinary action up to and including immediate dismissal for cause.

Section 3.6: Suggestion System

All Franklin County employees are encouraged to submit suggestions that could allow county government to operate more efficiently and effectively. All suggestions should be submitted to the employee's department head, which shall forward them to the County Judge/Executive along with recommendations for approval or disapproval. Employees who submit suggestions that are approved will receive recognition at the time the suggestion is implemented.

Section 3.7: Employment of Relatives (Nepotism)

The Franklin County Ethics Ordinance is adopted by Ordinance No. 3-2014, and any future amendments are hereby ratified and incorporated into the terms of this Administrative Code.

Section 3.8: Orientation of Newly Employed Personnel

- A. An orientation will be made available to all new employees as soon as they are hired. The orientation will consist of an overall orientation of county government and policies conducted by the County Judge/Executive or a designee. As soon as assigned to the specific department with the vacancy, the new employee shall be given further orientation by the department head. This orientation will address the internal policies, job description, and expectations of the department head and the employee's first line supervisor.
- B. The orientation performed by the County Judge/Executive's office shall consist of at least the following:
1. Explanation of the management policies and administrative procedures,
 2. Compensation schedule and employee benefits,
 3. Copy of the Administrative Code and departmental policies,
 4. Reiteration of job duties per job description, and
 5. Other elements deemed appropriate.

Section 3.9: Equal Opportunity

Franklin County seeks to provide equal opportunity for its employees and applicants for employment and to prohibit discrimination based on race, color, sex, religion, national origin, disability, age or sexual orientation. The county promotes equal opportunity in all matters of hiring, promotion, transfer, compensation, benefits and other conditions of employment.

Section 3.10: ADA Statement

Franklin County complies with the American with Disabilities Act of 1990, as amended by the Civil Rights Act of 1991. The Act prohibits Discrimination on the basis of disability and protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits and other aspects of employment.

Franklin County will provide reasonable accommodation to qualified individuals with a disability that, with an accommodation, can perform the essential functions of the job classification, unless the accommodation will impose an undue hardship for the county.

Section 3.11: Classification Plan

- A. In the Classification Plan as required by law and incorporated as part of this administrative code:
 - 1. Each position shall, on the basis of the duties and responsibilities of the position, be allocated to an appropriate category with specified classes.
 - 2. A class shall include one or more positions.
 - 3. Each class shall have a specification that includes:
 - a. Concise, descriptive title
 - b. Description of the duties and responsibilities of each position in the class, and
 - c. Statement of the physical requirements and qualifications, including skills, knowledge, abilities, experience and educational qualifications or requirements for each position.
 - 4. All positions in a single class shall be sufficiently alike to permit:
 - a. The use of a single descriptive title for the class,
 - b. A description of the duties in the class,
 - c. The same qualifications for each position,

- d. The use of the same pay range to each position, and
 - e. Applications of the same pay range to each position.
- 5. All job descriptions shall set forth those duties that are essential.
- B. At least once each year, the County Judge/Executive shall:
 - 1. Review the duties and responsibilities of each class,
 - 2. Recommend and consider on the basis of the review the reclassification of positions, the creation of new classes, and the abolition of one or more existing classes.
- C. Whenever the duties of a position change so that no appropriate class for it exists, the County Judge/Executive shall:
 - 1. Prepare an appropriate class specification for it, and
 - 2. Submit it to the Fiscal Court for approval of reclassification.
- D. Reclassification of a position may not be used to circumvent demotion, promotion, or compensation procedures and requirements.
- E. The County Judge/Executive may create a new position with the approval of the Fiscal Court by the amending ordinance. In creating a new position, the County Judge/Executive shall:
 - 1. Describe in detail the position's duties and responsibilities,
 - 2. Suggest minimum entrance qualifications for the position, and
 - 3. Allocate the position to an appropriate class or create an appropriate class for the position, if necessary.

Section 3.12: Amendments

All amendments to the classification plan shall be presented to Franklin County Fiscal Court for approval.

Section 3.13: Status of Employment

- A. All employees shall be designated as full-time, part-time, temporary or assigned pursuant to law, and may include the following:
 - 1. Full-time employee – An employee who works 37.5 hours per week or more on a regularly scheduled basis.

2. Part-time employee – An employee who works less than 100 hours per month on a regularly scheduled basis.
 3. Temporary employee – An employee who works in a position which is of a temporary nature (full-time or part-time). All temporary employees shall be on an emergency basis not to exceed 30 days and shall be subject to availability of funds in the budget.
- B. Only full-time or part-time employees may occupy established positions.
 - C. Full-time employees shall be entitled to all benefits provided by Franklin County government. Temporary and part-time employees shall not be entitled to any benefits (except those benefits required by federal and state law).

Section 3.14: County Pay Plan

- A. All positions in the classification plan shall be compensated as set forth in the County's pay plan.
- B. The assignment of classes to a pay grade shall be based upon the relative level of difficulty of the duties and responsibilities of the class; the prevailing rates of pay for the work as compared to and competitive with public and private labor markets; and other pertinent wage and economic data.
- C. The Fiscal Court shall approve the schedule of wage rates and ranges and the pay plan adopted or subsequently modified by amending ordinance.

Section 3.15: Pay Plan Administration

- A. A pay plan, prepared as required by the Kentucky Revised Statutes and incorporated as part of this Administrative Code shall prescribe for each class a minimum and maximum rate of pay, and all employees occupying positions in a class shall be compensated at a rate no less than the minimum and no more than the maximum amount of the grade in which the position is assigned. All personnel who currently receive pay at the maximum rate for their particular class will continue to receive pay raises as provided by the budget (i.e. merit raises or yearly increment).
- B. At least once each fiscal year, preferably during the budget process, the County Judge/Executive or his/her designee shall:
 1. Analyze fluctuations in the cost of living,

2. Examine the wage range for each class of positions in the classified service to ascertain whether minimum and maximum wages should be raised or lowered for a particular class during the succeeding twelve months,
 3. Upon the basis of the comparison, analysis, and examination, submit to the Fiscal Court recommendations or amendments to the pay plan.
- C. Reclassification of an employee's position from one class to another of comparable pay range shall effect no change of wage for the employee.
- D. An employee whose position is reclassified from one class to a higher class shall enter the higher class at its minimum wage, unless this minimum is lower than the affected employee's present wage. If that is the case, the employee shall enter the class at their then present wage at the time the reclassification is effected;
1. If that wage exceeds that minimum, he/she shall continue to receive at least his/her present wage,
 2. If that wage exceeds the maximum, he/she shall receive only the maximum.
- E. Whenever the County Judge/Executive submits to the Fiscal Court that a position be reclassified to a class that requires a higher wage, he/she shall likewise submit with it an estimate of the financial requirements of the wage increase that the reclassification would require.
- F. In the event that an employee enters a higher class by promotion, the wage in the higher class shall be the minimum wage for that class, unless that minimum is lower than, or the same as, the wage at the time of the promotion. In that event, the County Judge/Executive shall set a wage within the pay range of the higher class based on the promoted employee's skills, knowledge and abilities.
- G. In the event that an employee is demoted, the County Judge/Executive shall set the employee's wage at the minimum level of the class to which the employee has been demoted.
- H. For an employee transferred from a position in one class to a position in an equivalent class, the transfer shall effect no change in rate of pay.
- I. The County Judge/Executive and Department Heads shall conduct annual evaluations of the performance of each employee as set forth in Section 3.60. The overall results of each employee performance evaluation shall

be used for the basis of granting promotions and pay increases. Any promotions or adjustments that will increase the expenses of the county require a budgetary review and approval by the Fiscal Court.

- J. An appointee (hire) to a new or vacant position shall receive the minimum wage to the class to which the position is allocated, except that through written documentation the County Judge/Executive may cause the appointment to be made at a wage above the minimum, but not more than maximum, for the class if:
 - 1. In cases of unusual difficulty in filling a position, or
 - 2. In hiring exceptionally qualified personnel.
- K. In no case will an employee be paid in advance for work time.

Section 3.16: Hours of Work

- A. Employees shall be at their places of work in accordance with prescribed departmental schedules. All departments shall maintain daily attendance records of all employees. All department heads shall submit time sheets to the County Payroll Administrator prior to payday.
- B. Regular employees will be allowed two rest periods of fifteen (15) minutes each day, one in the morning and one in the afternoon. Unless prior approval is granted lunch and rest periods may not be used to shorten working hours, alter time of arrival or departure, accrue vacation, or count as overtime if not taken. Department Heads shall ensure that rest period times and regulations are enforced. An hourly employee who works more than four (4) consecutive hours is entitled to one fifteen (15) minute break; hourly employees working less than four (4) consecutive hours are not entitled to a break.
- C. Flexible hours may be scheduled for employees, if approved by the Department Head and the County Judge/Executive; the schedule shall not adversely effect the department's operations.

Section 3.17: Overtime

- A. In emergencies and other circumstances, consistent with the maintenance of essential county services, a department head may, with the approval of the County Judge/Executive, have employees work overtime. Employees called to work over and above normal work hours shall be paid a minimum of one and one half their pay at their regular rate of pay.
- B. In order to determine whether an employee will receive overtime pay for hours worked in excess of 37.5 hours per week (except Road Department

and Fire Department personnel who will adhere to their internal overtime procedures as approved by the County Judge/Executive), each class shall be declared "EXEMPT" or "NON-EXEMPT" under the provisions of federal and state wage and hour laws. Exempt employees shall not receive overtime pay. Non-exempt employees shall receive overtime pay at a rate of one and one half times the hourly wage for the actual hours worked in excess of a normal work week (over 40 hours).

1. Any Franklin County employee who serves in a policy making position shall be deemed an exempt employee. These individuals may accrue compensatory time, at an hour for hour rate, for work performed over and above the hours worked in a normal workweek (37.5 hours, or 40 hours if applicable). Upon written request and agreement a nonexempt employee may be granted compensatory time in lieu of overtime pay. Public safety employees are allowed to accrue up to 100 hours of compensatory time in one fiscal year. All other employees are allowed to accrue up to 50 hours of compensatory time in one fiscal year. Additional hours of work will be paid upon recommendation by the Department Head and approval of the County Judge/Executive.
 2. Exempt positions shall include but not be limited to the following:
 - a. Deputy Judge/Executive
 - b. Director of Planning and Zoning
 - c. Road Superintendent
 - d. County Engineer
 - e. Fire Chief
 - f. Treasurer
 - g. Community Development Specialist
 - h. Courthouse Maintenance Director
 - i. Lakeview Park Director
 - j. Solid Waste Coordinator
 - k. Occupational Tax Administrator
 - l. Human Resources Director
 - m. Solid Waste Administrator
 - n. Assistant Road Superintendent
 - o. Assistant Fire Chief
 - p. Any other position exempt per state or federal law.
- C. Time off with pay (including vacation leave, sick leave, holidays, jury duty, funeral leave, etc.) may not be considered as hours worked for overtime pay purposes.
- D. Employees required to be present at Fiscal Court meetings or committees of the Court relative to county business shall be compensated at the

regular rate of pay. A minimum time shall be based on actual time at the meeting.*

- E. Overtime provisions will apply if the appearance at the meeting causes the employee to accumulate (work) in excess of 40 hours during the workweek.*

***Plus any travel time incurred**

Section 3.18: Workweek

- A. Franklin County's official workweek shall begin and end on Sunday at 7:00 a.m.
- B. The county may change the official workweek for any position(s), but not to avoid overtime requirements.

Section 3.19: Wage Increases

- A. The annual budget may include wage increases for the budget year effective July 1 annually, subject to availability of revenues.
- B. Individual adjustments may be made during the year as necessary (Probation completion, salary based performance increases, etc.) subject to availability of funds. Performance based increases shall be made with the prior approval of the Fiscal Court.

Section 3.20: Placement Policy

- A. An appointment to a position shall be made only after the individual being considered has been certified for the position as set forth in Section 3.24. This policy applies to new applicants, rehires, transfers and promotions.
- B. Subject to approval by the Fiscal Court, the County Judge/Executive shall make appointments by executive order. The executive order shall state the name of the individual, the appointed position and class, the beginning wage and the beginning date of employment. A copy of the executive order shall be filed in the individual's personnel file.

Section 3.21: Methods for Filling Vacancies

- A. Promotions: In considering the filling of a vacancy, current employees who meet job requirements shall be considered for the position. If the County Judge/Executive determines the needs of the county are best served by employment of external candidates, he/she may recommend the appointment to Fiscal Court that is in the county's best interest.

- B. Transfers: Franklin County may fill vacancies by transferring any current employee who has requested a transfer, provided that the employee meets or exceeds the job requirements for the position(s) they have requested transfer to. Transfer requests will be treated like applications for employment in that the county will select the most qualified individual to fill the vacancy. Personnel who have requested transfer to vacant positions within the county will also have to compete with applicants who have applied for the vacant position. Additionally, the County Judge/Executive will insure that any transfer granted will be in the best interest of the county and will not have an adverse affect on the losing department.
- C. Open Application Policy: Franklin County shall accept applications for employment at any time during regular business hours. Current employees may apply for vacant positions within the county provided they meet the qualifications requested by the hiring authority. If the County Judge/Executive determines that a new hire is in the best interest of the county, he/she may advertise to fill the vacancy and select the most qualified candidate from the applications received. If an individual is not selected for whatever reason, their application will be maintained on file with the Fiscal Court for six months. Should a situation arise where the County Judge/Executive needs to fill a vacancy, those applications on file can be used to select an individual to fill a vacant position, provided the applicant is qualified for the position.
- D. Recruitment: If determined by the County Judge/Executive that no current employee has the desired qualifications or he/she determines that it would be in the best interest of the county, he/she shall publicly recruit applicants to be considered in filling the vacancy(s). Any such public recruitment shall be in accordance with Section 3.22 "Announcement of Vacancies."
- E. To address vacancies which may arise in the County Fire Department, the County shall maintain a Fire Department Hiring List containing the eligible candidates. Eligibility shall be based upon uniform testing scores obtained from the Fire Department test, which shall be administered annually and no later than October 1, or as soon as practical thereafter. The list shall be maintained for a period of twelve (12) months, unless approval by the County Judge/Executive is granted for an extension. In the event a candidate is unavailable, the list is insufficient or other needs arise which require testing, the Department shall permit additional testing for candidates, with the approval of the Judge/Executive and notice to the Fiscal Court.

Section 3.22: Announcement of Vacancies

If recruitment is initiated per Section 3.21 (B), (C) or (D) above, notices of

employment opportunities shall be publicized in the local newspaper and posted on the County website to provide interested and qualified persons with an opportunity to apply.

Section 3.23: Applications and Forms

- A. Applicants must apply on forms provided by the county.
- B. Applications will be considered active for six months.
- C. The application form may be subject to change due to state and federal mandates.
- D. The application form will contain a space for the Selective Service Registration number for male applicants who are at least 18 years, but not yet attained the age of 26.
- E. The application form shall be reviewed annually. The County Judge/Executive shall update and ensure that the form meets the latest requirements.

Section 3.24: Certification of Eligibility for Positions

- A. No person may be appointed to a position unless verified information on an official Employment Application indicates that he/she meets the qualifications for the position as set forth in the class specification.
- B. In the event the position to be filled is a department head, the Judge/Executive and two (2) magistrates shall review the proposed job description, salary and qualifications and the Judge/Executive shall make any changes necessary prior to the notice of vacancy. In the event that the vacancy is for a staff position, the department head shall prepare and present to the Judge/Executive a proposed job description and qualifications, and the Judge/Executive shall make any necessary changes prior to the notice of vacancy. Ref. KRS 67.710 (7).
- C. The qualifications of an applicant for a position shall be ascertained on the basis of one or more of the following:
 - 1. Information the applicant supplies on the official employment application,
 - 2. Written, performance or physical tests or examinations, or any combination, which may be required by the County Judge/Executive.

3. A joint personal interview conducted first by the department head whose organization has the vacancy and the County Judge/Executive or designee. If needed, a second interview will be conducted prior to official notification and offer to the applicant.
 4. Once the applicant accepts the offer of employment, the County Judge/Executive will request approval from the Fiscal Court to hire the applicant.
 5. Information and evaluations supplied by the references given by the applicant, or
 6. Other appropriate information as determined.
 7. The County will conduct background investigations on all applicants for employment prior to an offer being made.
- D. All candidates for employment shall have at the time of hire a minimum education of a high school diploma or GED. The Court may waive this requirement.

Section 3.25: Initial Probation Period (Introductory)

- A. All personnel initially appointed, rehired, transferred or promoted to an established position shall be on probation status for six (6) months. The probation period may be extended by the County Judge/Executive at his/her discretion or upon the department head's recommendation, for up to one year.
- B. Any employee who has already served an initial probation period and is promoted or transferred to a new position shall be in a transfer probationary status and may be reinstated without right of appeal to the position from which he/she was promoted or transferred, or to a comparable position.
- C. A new employee may be dismissed without right of appeal during the original probation period at any time.
- D. Benefits including, but not limited to: retirement, accumulation of vacation, sick, and other leave, for new employees in all departments of county government will begin the first month following their date of hire. Health and life insurance benefits will be in effect in accordance with rules of the provider, but shall begin as soon as practical after hire.

Section 3.26: Transfers

- A. Any employee occupying an established position may request a transfer from one position to a comparable position by making the request through the department head to the County Judge/Executive, if:
 - 1. He/she possesses the appropriate qualifications for the position
 - 2. The employee is not serving an original probationary period; and
 - 3. The position is vacant.
- B. The “Methods of Filling Vacancies” (Section 3.21) also includes procedures for employee transfers.
- C. All transfers will be consistent with county needs.

Section 3.27: Promotion

- A. A promotion cannot be made unless there is a vacancy or a new position/class established by ordinance.
- B. A person may be promoted from one position to another only if they have the qualifications for the higher position. The same procedure as those authorized for ascertaining qualifications for initial appointment to a position as set forth in Section 3.24 “Certification of Eligibility for Position” shall be followed.
- C. The “Methods of Filling Vacancies” (Section 3.21) also includes the County Policy relative to promotions.
- D. All employees have the right to apply for vacant positions as set forth in Section 3.21.

Section 3.28: Disciplinary Action

- A. Franklin County shall be patient, fair and consistent in the administration of the organization and its employees. When problems arise, emphasis is on improvement and correction rather than punishment. However, willful, continued, or inexcusable breaches of employment rules must be dealt with firmly under a uniform policy, applicable to all employees. Employee misconduct will result in disciplinary action up to and including dismissal.
- B. Employee misconduct shall include, but is not limited to the following acts:
 - 1. Incompetence

2. Inefficiency
3. Dishonesty, including but not limited to:
 - a. Deliberately making or issuing falsified records, materials requisitions, etc.
 - b. Lying
 - c. Personal use of county property or supplies
 - d. Theft of county property or supplies
 - e. Deliberate waste, and
 - f. Supplying false information on an Employment Application.
4. Improper conduct, disrespectful conduct, insubordination
5. Neglect of Duty, including but not limited to:
 - a. Repeated tardiness
 - b. Leaving assigned work area without permission
 - c. Failure to attend scheduled meetings
 - d. Refusal to accept reasonable work assignment
 - e. Stopping work before specified time
 - f. Deliberate interruption of work
 - g. Loitering, loafing or sleeping on the job; and
 - h. Unsatisfactory work or attitude
6. Failure to keep time sheets accurately or completing another employee's timesheet
7. Fighting or horseplay on county's premises at any time
8. Attempting bodily injury to another person
9. Failure to observe safety rules
10. Abusive or obscene language
11. Discourtesy to the public or fellow employees
12. Conviction of a felony
13. Untidy or inappropriate attire, torn uniforms and other failures to maintain a clean neat appearance
14. Reporting to work under the influence of intoxicants or illegal drugs
15. Use of intoxicants or illegal drugs while on the job
16. Gambling while on duty
17. Improperly discussing or disclosing confidential information
18. An accumulation of incidents of employee misconduct
19. Failure to follow any other rule, regulation, operating procedure or job requirement not specifically mentioned above
20. Frequent or excessive absenteeism
21. Failure to provide notice to the County Judge/Executive or department head by 9:00 a.m. of absence for any reason
22. Refusal to report to work when called, unless a bona fide emergency exists
23. Loss of Drivers License/Driving Privileges when driving is required for performance of assigned duties
24. Solicitation and the distribution of non-work related literature

during work

- C. When an employee commits any violation of Section 3.28 (B) or fails to follow any rule, regulation, operating procedure or job requirement, one of the following measures shall apply, depending upon the circumstances involved and the severity of the offense. These discipline measures are not exclusive as situations may require more severe sanctions, depending on the nature of the violation:

1. Verbal warning/reprimand (counseling)

- a. In the case of a minor infraction, the immediate supervisor, department head or the County Judge/Executive shall administer verbal counseling and explain the actions necessary to correct the problem as soon as possible after the offense.
- b. The date of the warning/reprimand, along with a description of the occurrence which prompted the counseling, actions necessary to correct the problem, and any comments the employee may have made, shall be noted, signed and placed in the employee's departmental personnel folder by the person giving the warning. A copy of the warning/reprimand shall be placed in the employee's county personnel file maintained by the County Judge/Executive.

2. Written Warning:

- a. In the case of a second minor infraction, the immediate supervisor or department head and/or the County Judge/Executive shall give the employee a written warning specifying the reason(s) for such warning noting any previous verbal and/or written warnings. Written warnings shall state that the employee's performance will now be reviewed on a regular basis for signs of improvement and explain the consequences of further infractions.
- b. The employee shall sign the written warning as evidence of their seeing and understanding the circumstances that resulted in the written warning being administered. The employee's signature does not constitute agreement or disagreement with the warning only verification that the employee has seen the warning. A copy of the written warning shall be placed in the employee's departmental personnel folder and the original shall be forwarded to the County Judge/Executive for placement in the employee's

official county personnel file.

3. Suspension:

In situations where the county has become aware of alleged misconduct by an employee which, if true, could result in disciplinary action, the County Judge/Executive may suspend the employee with pay if it is determined that action is necessary to assure public confidence in governmental oversight of its employees, or assure the integrity of the County's inquiry in the allegations.

In the event it is necessary to suspend an employee with pay, the following procedures shall be followed:

- a. The county shall immediately provide written notification to the employee informing him/her of the suspension and the nature of the allegations being investigated. In the event it is deemed necessary to suspend the employee immediately upon learning of a particular situation, the employee shall be provided written verification of the suspension within 24 hours.
- b. Consistent with existing personnel procedures, a copy of the written notice of suspension shall be filed in the employee's departmental personnel folder and the original notice shall be filed in the employee's official personnel file. If the investigation exonerates the employee the suspension document shall be removed from both files and destroyed. The investigation shall not be delayed for any reason and shall be conducted within a reasonable time.
- c. Upon reaching a determination as to the culpability of the employee, the County Judge/Executive shall take action as follows:
 1. If the allegations against the employee are valid, the County Judge/Executive shall invoke disciplinary action as deemed appropriate. These actions shall not include payment of wages in the event the suspension is extended beyond the investigation period; or
 2. If the allegations against the employee are proven false, the employee shall immediately be returned to work.

- d. During the time an employee is on suspension with pay he/she is considered to be performing services for the county. Therefore, the employee must remain available to return to work within 24 hours of receiving written or verbal notice of return to work. In the event the employee is notified of reinstatement verbally to return to work the county shall follow-up in writing within 24 hours.
- e. Nothing in this policy or procedure should be construed as limiting the authority of the local government to suspend an employee without pay in those instances deemed appropriate.
- f. In the event of a suspension, Fiscal Court shall be notified contemporaneously with the notice of the suspension.

4. Pre-termination (dismissal) conference:

An employee who has been notified of the intent to dismiss him/her has the right to appear personally, or with counsel, at a pre-termination conference held before the County Judge/Executive. The following procedures shall be followed in those instances where the employee desires a pre-termination conference:

- a. The request for a pre-termination conference must be made, in writing, to the County Judge Executive within ten (10) working days of the employee's receipt of the notice of intent to dismiss, excluding the day it was received.
- b. The pre-termination conference shall be held within ten (10) working days after receipt of the employee's request, excluding the day it was received.
- c. The pre-termination conference is informal. It gives the employee the opportunity to respond to charges contained in the notice of intent to dismiss.
- d. Within five (5) working days, excluding the day of the pre-termination conference, the County Judge/Executive shall uphold, alter, modify, or rescind the intended dismissal. The employee will be notified in writing of the County Judge/Executive's decision, and the reasons for it.
- e. Such action shall be recorded in the employee's personnel

file.

5. Dismissal:

- a. Where an offense is continually repeated, or misconduct is serious enough for discharge on the first offense, the department head may recommend dismissal of an employee.
- b. The recommendation shall include the reason(s) for the dismissal, details of previous disciplinary action taken against the employee and the recommended effective date and time of dismissal.
- c. Final and formal dismissal of an employee shall come from the County Judge/Executive (with or without departmental recommendation), who shall notify the employee in writing of the intent to dismissal.
- d. A copy of the notification shall be placed in the employee's personnel file and a copy shall be provided contemporaneously to the Fiscal Court.

6. Demotion or transfer:

- a. In the event that an employee fails to perform (for whatever reason) the duties as stated in the class specification, he/she may be transferred or demoted in lieu of taking any disciplinary action, provided the employee meets the qualifications for the position, and the position is vacant.
- b. Such actions shall be recorded in the employee's personnel file and a copy of the determination provided to Fiscal Court.

Section 3.29: Resignations

- A. An employee will be regarded as having resigned his/her position if he/she gives notice, written or verbal (with witness), to his/her immediate supervisor or the County Judge/Executive. Unless approved in advance by the County Judge/Executive, failure to give at least two weeks' notice may be cause for denying future employment with the county and forfeiture of payment of accumulated vacation or compensatory time.
- B. An employee's resignation and its attending reasons shall be recorded in the employee's personnel file.

- C. Any employee who is absent from work for five (5) work days and fails to notify his/her supervisor will be considered to have abandoned the job and will be deemed to have resigned, and his employment with the county shall terminate immediately.

Section 3.30: Reinstatement and Rehires

- A. The County Judge/Executive shall reinstate into his former position or a comparable position any employee who fails to satisfactorily complete the probationary period in a position to which he/she has been promoted. The reinstated employee shall receive the rate of pay which was received at the time of promotion.
- B. Any employee leaving in good standing who is rehired after two years of separation from county service shall be considered a new employee. Individuals rehired within two years of leaving in good standing shall have previous seniority and benefits when reinstated.

Section 3.31: Retirement

Franklin County does not have mandatory retirement age. Eligible employees are entitled to all benefits earned under the provisions provided by the County Employee Retirement System (CERS).

Section 3.32: Examinations (Medical)

Should a medical examination be made a condition for employment Franklin County shall pay 100% of the costs (including necessary travel costs) for all required medical examinations related to employment.

Section 3.33: Political Activity

- A. No employee, as a condition of employment or continued employment, shall be required to contribute to or campaign for any candidate for political office.
- B. No employee of the county shall engage in political activity during his/her assigned duty hours. Violators are subject to dismissal.
- C. County employees may only run for non-partisan office.

Section 3.34: Lunch Break

- A. Employees, except in special cases, shall take a one hour unpaid lunch period.

- B. The Road Department, due to unique work and responsibilities, shall take a half-hour lunch break. These employees are not paid for this break.

Section 3.35: Lay Off

- A. The Franklin County Judge/Executive may lay off an employee because of lack of work or funds. The order of layoff shall be established on the basis of the needs of the county as determined by the County Judge/Executive and approval of Fiscal Court.
- B. Layoffs:
 - 1. Consideration shall be given to seniority, performance record and merit of the persons considered for layoff.
 - 2. Part-time, temporary, and probationary employees in a class shall be laid off before other persons in the class are laid off.
- C. One week before the effective date (except emergencies approved by the Fiscal Court) of the layoff of a regular full-time employee, the County Judge/Executive shall:
 - 1. Notify the employee of the layoff,
 - 2. Explain the reasons for the layoff, and
 - 3. Inform the Fiscal Court of the layoff(s).
- D. A copy of the notice shall be retained in the employee's personnel file.

Section 3.36: Gifts and Gratuities

Employees of Franklin County may not receive or accept any personal gifts or gratuities that obligate the county or its employees in any way or are given with the intent to influence. A personal gift is generally defined as one, which is expressly for an individual and is not an object produced for general distribution as a means of advertising such as inexpensive pens or calendars. (Refer to County Ethics Commission for specifics)

Section 3.37: Personal Conduct, Appearance and Hygiene

- A. Images presented and statements made by all employees of the county can affect the entire organization. Therefore, employees are expected to be friendly, courteous and appropriately dressed at all times.
- B. The county expects its employees to present themselves for work in such a manner that reflects good personal hygiene. Personnel who are required to wear uniforms as provided by the county will insure that their uniforms are well maintained, clean and serviceable every day.

Section 3.38: Safety and Injuries

- A. Ensuring the health and safety of all county employees is a major goal. It is the intent of the county to make every employee's job safe in all respects; therefore, all employees shall report all hazardous conditions in their work area at once to their immediate supervisor.
- B. All work related injuries shall be reported to the employee's supervisor immediately. Once the supervisor has been informed of the injury, the injured employee will be sent to the Human Resources Director to file a Workers' Compensation claim, if needed.

Franklin County has a Safety Committee, which is made up of representatives from every agency within county government. The Committee shall meet on a quarterly basis and is charged with assisting in the safety training and safety awareness within the county's work force. Any person who has concerns regarding safety can present concerns to his/her department head and to the Safety Committee representative for their department.

Section 3.39: Harassment/Sexual Harassment

The county is committed to maintaining a work environment free of discrimination and harassment. Conduct that affects tangible job benefits, that interferes with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment will not be tolerated.

Harassment – Definition:

- A. Harassment on the basis of race, color, religion, gender, sexual orientation, national origin, age, sex or disability constitutes discrimination per se in the terms, conditions, and privileges of employment. Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national origin, age, sex or disability, or that of his/her relatives, friends, or associates, or otherwise and that:
 - 1. Has the purpose or affect of creating an intimidating, hostile, or offensive work environment,
 - 2. Has the purpose or affect of unreasonably interfering with an individual's work performance,
 - 3. Otherwise adversely affects an individual's employment opportunities.

B. Harassing conduct includes, but is not limited to, the following:

1. Epithets, slurs, negative stereotyping, threatening, or intimidating acts, that relate to race, color, religion, sexual orientation, gender, national origin, age, sex or disability.
2. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, sexual orientation, national origin, age, sex or disability and/or otherwise that is placed on walls, bulletin boards, or elsewhere on the employer's premise, or circulated in the workplace.

Harassment – Complaint Procedure:

Employees encountering harassment should tell the offending person that their actions are inappropriate and offensive. The employee shall document all incidents of harassment for investigative purposes. In addition, the employee shall notify his/her immediate supervisor of the harassment as soon as possible so that corrective steps may be taken and those appropriate investigative and disciplinary measures may be initiated.

Sexual Harassment – Further Definition:

Inappropriate sexual advances, requests for sexual favors, and other physical, verbal or visual conduct based on sex constitute sexual harassment when:

- A. Submission to such conduct is either explicitly or implicitly made a term or condition of employment,
- B. Such conduct has the purpose or effect of reasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.
- C. Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexual oriented "kidding" or "teasing", "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact with another, such as patting or pinching another's body.

Harassment – False Accusations:

The county recognizes that a false accusation of harassment or sexual harassment can have a serious effect on innocent employees. Individuals falsely accusing another of harassment or sexual harassment will be disciplined or dismissed in

accordance with the nature and extent of the false accusation.

Harassment – Employee Inquiry Procedure:

The county encourages any employee to raise questions they may have regarding harassment policy to their immediate supervisor, Human Resources Director or the County Judge/Executive. In the event that the County Judge/Executive or the Deputy County Judge/Executive becomes the object of harassment, they will address their concerns to the Executive Committee of the Fiscal Court for investigation and resolution. The resolution by the Executive Committee shall be final, and the Committee shall make its findings in writing.

Section 3.40: Drug-Free Work Place

The United States Congress enacted the Drug-Free Work Place Act of 1988, effective March 18, 1988. The following is a policy statement regarding the county's commitment to a drug-free work place:

- A. Employees shall not unlawfully manufacture, distribute, dispense have possession of, or use illegal drugs or alcohol on the job, in the work place or report to work under the influence of such substances. It is the intent of the county to maintain a work place free of these substances so that all employees may have the opportunity to have a safer, more productive work environment. Any employee reporting to work under the influence of alcohol or illegal drugs or who commits a work-related drug or alcohol related offense shall be disciplined under the established disciplinary process, which includes suspension or dismissal.
- B. The manufacture, possession or use of illegal drugs, alcohol, or drug paraphernalia in the work place is strictly prohibited. This includes the misuse or abuse of prescribed medications that could impair an employee's ability to function.
- C. If a supervisor has reasonable cause to suspect an employee of illegal drug use on the job or of reporting to work under the influence of same, the employee shall be required to submit to drug testing. The supervisor may take other appropriate action, pending a final decision by the County Judge/Executive.
- D. An employee reporting to work while taking medication prescribed by a physician or if the employee is self-medicating using over the counter drugs that could impair an employee's ability to function shall immediately notify his/her supervisor of this fact. The employee must submit a doctor's statement indicating how the medication would affect his/her job performance and the health and safety of others. It is imperative that the employee follow these steps so appropriate steps may

be taken by the supervisor to prevent any hazardous situations from developing.

Section 3.41: Drug Testing Policy

The County's drug testing policy was adopted by a separate policy adopted on December 15, 1995, and can be found in Fiscal Court Order Book 17, page 23.

Fringe Benefit Provisions:

Section 3.42: Holidays

- A. The following days are declared paid holidays at the regular rate of pay for all FULL TIME county employees:
1. New Year's Day, January 1,
 2. Martin Luther King, Jr. Day, Third Monday in January,
 3. Spring Holiday, One-half day, Friday before Easter,
 4. Memorial Day, last Monday in May,
 5. Independence Day, July 4,
 6. Labor Day, first Monday in September,
 7. Veteran's Day, November 11,
 8. Thanksgiving Day, 4th Thursday in November,
 9. Day After Thanksgiving Day,
 10. Inauguration Day, the fifth Tuesday following the General Election in gubernatorial election years,
 11. Christmas Eve, December 24,
 12. Christmas Day, December 25, and
 13. New Year's Eve, December 31.

Note: The County Judge/Executive can vary the holiday schedule should circumstances dictate, however, the Franklin County Fiscal Court must approve any variations.

- B. When any holiday listed above falls on Saturday, the preceding Friday will be observed. If the holiday falls on Sunday, the following Monday shall be considered a holiday.
- C. When it is essential for an employee to work on a declared holiday, he/she shall be compensated for actual hours worked. In no case will compensatory time be given to any employee who, by virtue of their work schedule, does not work on an official county holiday.
- D. In addition to the above, any day may be designated as a holiday by proclamation of the Fiscal Court.

- E. In order for an employee to be paid for a holiday, he/she must work the last scheduled day or the first scheduled day after the holiday unless the absence(s) is/are approved in advance or accompanied by a valid doctor's excuse. Probationary employees shall receive holiday pay.

Section 3.43: Vacation

- A. Full-time employees (not including firefighters) shall be entitled to vacation leave at the following rates:

<u>Months of Service</u>	<u>Accumulated Vacation Time</u>
0-59 months	1 day per month
60-119 months	1 ¼ day per month
120-179 months	1 ½ day per month
180-239 months	1 ¾ day per month
240 months and over	2 days per month

- B. Employees may carry annual leave forward from one calendar year to the next at the following accumulation limits (leave in excess of maximum shall be converted to sick leave at calendar year end):

<u>Months of Service</u>	<u>Maximum to Carry Forward</u>
0-59 months	30 working days (225.0 hours)
60-119 months	37 working days (277.5 hours)
120-179 months	45 working days (337.5 hours)
180-239 months	52 working days (390 hours)
240 months and over	60 working days (450 hours)

- C. Employees taking vacation days shall request approval from their supervisor at least twenty-four (24) hours prior to the start date of their intended vacation. Supervisors may disapprove any vacation request that is not so requested or if the vacation would have an adverse effect on the department's operation. A waiver may be granted by the County Judge/Executive on a case by case basis if twenty-four (24) hour notice cannot be given prior to vacation leave use.

- D. For accrual purposes, a new employee who reports to work on or before the 15th of the month shall accrue the full amount of vacation for that month. If an individual is employed on or after the 16th of the month, he/she shall begin accruing vacation leave at the beginning of the following month.

- E. No employee will be permitted to take advance leave or leave that has not been accrued.

- F. An employee who is terminated shall be paid for all accumulated vacation leave, excluding probationary employees who have not successfully completed their probation.

- G. Absences on account of sickness, injury or disability in excess of that authorized for such purposes may, at the request of the employee and with the approval of the department head, be charged to vacation leave credit.
- H. The Payroll Administrator shall keep and maintain complete records of employee vacation leave totals. An employee fraudulently obtaining vacation leave or a department head falsely certifying vacation leave allowances shall be subject to disciplinary action.
- I. Firefighters' vacation leave shall be governed by separate other policy and procedure to be approved by the Court.

Section 3.44: Sick Leave

- A. All full-time Franklin County employees (excepting firefighters) shall accrue sick leave at the following rate:

Each full-time employee shall accrue sick leave with pay at the rate of twelve (12) days per year or one (1) day per month. An employee must be employed more than half of the workdays in the month to accrue a sick leave day.
- B. There is no limit to the number of sick leave days that may be accrued.
- C. For accrual purposes, a new employee who reports for work on or before the 15th of the month shall accrue the full day for that month. If an individual is employed on or after the 16th of the month, he/she shall begin accruing sick leave at the beginning of the following month.
- D. Employees may utilize sick leave credit when they are incapacitated from the performance of duties due to personal sickness or injury, when they are quarantined, or illness or injury of immediate family. The immediate family shall be deemed to include parents, grandparents, spouse, children, siblings, and in-laws.
- E. An employee on unscheduled sick leave shall inform his department head of the absence as soon as possible. Employees using sick leave should give notice to the department head no later than 9:00 a.m. on the day of the event. Failure to comply, unless there is a mitigating reason, may be cause for denial of sick leave with pay for the period of absence. Further, unauthorized absence shall result in disciplinary action.
- F. Absence for part of a day that is chargeable to sick leave shall be charged proportionately in an amount not smaller than one-quarter ($\frac{1}{4}$) of an hour.

- G. The Payroll Administrator shall keep complete records of sick leave. An employee fraudulently obtaining sick leave, or department head falsely certifying sick leave allowance for absence from work, shall be suspended or dismissed. A doctor's statement shall be required for all absences for three or more consecutive days due to illness. A supervisor or department head may require a doctor's statement for absences of less than three days due to illness where abuse of sick leave is suspected.
- H. Employees are not entitled to receive pay for accumulated sick leave upon termination or retirement.
- I. Former employees who are reinstated or reemployed shall have unused sick leave balances restored upon appointment and the balances adjusted accordingly per Section 3.30.

Section 3.45 Sick Leave Sharing Policy

- A. An employee who has accrued a sick leave balance of more than seventy-five (75) hours may request that the county make available for transfer a specified amount of his/her sick leave balance to another named county employee. The employee may not request a transfer of an amount of leave that would result in reducing his/her sick leave balance to less than forty (40) hours.
- B. The employee to receive sick leave transfers must meet the following criteria:
 - 1. Exhausted all accumulated leave,
 - 2. Complied with all policies to date with respect to attendance and the use of sick leave,
 - 3. Obtained written permission from co-worker(s) to have a specified number of hours transferred to the requesting employee, and
 - 4. Requested in writing to the County Judge/Executive to receive transferred sick leave.

Section 3.46: Disability Leave

- A. Any employee who suffers serious injury or illness as a result of service connected accident or illness shall be compensated at the negotiated rate with the county's workers compensation insurance company.
- B. No other benefit is implied.

Section 3.47: Maternity Leave

- A. Maternity leave may be granted for full-time employees with temporary

disability due to pregnancy, childbirth, or any impairment thereof, and miscarriages for a period not to exceed twelve (12) weeks.

- B. The employee may use accrued sick leave, then accrued vacation leave, any compensatory time (if applicable) and the remaining period off without pay. Maternity leave, once all other leave has been exhausted, is eligible for sick leave sharing, per Section 3.45 above.

Section 3.48: Bereavement (Funeral) Leave

Full-time employees may use sick leave in case of death in the immediate family (parents, grandparents, spouse, siblings, children, and in laws).

Section 3.49: Special Leave

- A. In addition to authorized leave, the County Judge/Executive may authorize an employee to be absent without pay for personal reasons for a period or periods not to exceed ten (10) working days in any calendar year.
- B. The County Judge/Executive may authorize special leave, with or without pay, for full-time employees for any period or periods to attend training at recognized universities or colleges and for other purposes that are deemed to be beneficial to county service.

Section 3.50: Military Leave

Any employee occupying a full-time established position within the county who is a member of the National Guard or any reserve component of the Armed Forces of the United States, or the Reserve Corps of the United States Public Health Service, shall be entitled to leave of absence for a period not exceeding fifteen calendar days in any one year to attend annual mandatory training. If additional time is needed, the employee may use vacation leave.

Section 3.51: Jury Duty

- A. When an employee is required to serve on a jury, he/she shall be compensated at the normal rate of pay while serving on jury duty. All employees serving on jury duty shall be absent from work only during the times required by the courts.
- B. Employees dismissed from jury duty must report to their respective places of work within the county.
- C. An employee summoned as a plaintiff or a defendant in a proceeding involving or arising from outside employment or personal business or affairs shall not be entitled to leave with pay, but may use accrued

vacation or compensatory leave during the absence.

Section 3.52: Voting Leave

All employees entitled to vote in any election shall be given up to two (2) hours off on Election Day to vote, with pay (primary and general) and a full day (up to 8 hours) for presidential elections. The supervisor or the County Judge/Executive may specify the hours during which each employee may be allowed time off to vote (KRS 118.035).

Section 3.53: Blood Donation Leave

Employees who donate blood at any licensed blood center certified by the Food and Drug Administration during regularly-scheduled work hours are entitled to four (4) hours leave with pay. Blood donation must be made during the employee's scheduled work hours not including the employee's lunch hour. The employee must request leave for blood donation in advance and furnish a written statement from the blood mobile verifying that the employee gave blood. This will be retained in the employee's file with the payroll officer. Leave time must be taken at the time of donation unless circumstances require the employee to return to work. In this case, the unused portion of leave time will be credited as compensatory time. No compensatory time will be granted if the employee is not required to return to work.

Employees not accepted as blood donors must promptly return to their work station, but will not be charged for the time spent attempting to donate.

Section 3.54: Health Insurance

- A. The county pays for one single health insurance policy for each employee unless the Fiscal Court sets the maximum amount. In the event an employee is out of work due to illness, regardless of cause, the county limits the payments of the health insurance premium for a period not to exceed twelve weeks.
- B. Benefits are as set forth in the carrier contract.
- C. Employees are covered under the Consolidated Omnibus Budget Act of 1986 (COBRA). In summary, COBRA provides that each qualified beneficiary who would lose coverage under the group health plan as a result of a qualifying event is entitled, under the plan, to elect, within the election period, continuation coverage under the plan at his or her expense for a limited time. This summary statement is not intended to supplant the Act. All rights are set forth in the Act and should be consulted for official decisions. The payroll administrator can facilitate this process.

- D. No other medical benefit is implied.

Section 3.55: Retirement Benefits

- A. Social Security: The County and its employees contribute amounts at the rate determined by Congress.
- B. The county participates in the non-hazardous County Employees Retirement System (CERS). CERS contribution regulations are established by the Kentucky Legislature. Fire Department employees, due to the dangerous nature of their work, are enrolled in the hazardous duty retirement system.

Section 3.56: Unemployment Insurance

The County pays the full amount for Unemployment Insurance.

Section 3.57: Workers' Compensation

The County pays the full amount for Workers' Compensation Insurance pursuant to KRS 342.

Section 3.58: Expense Reimbursement

- A. No employee or official of the county shall receive or be allowed any lump-sum expense allowance or contingent fund for personal or official expenses (KRS 64.710).
- B. Any employee or official of the county incurring expenses for approved travel shall be reimbursed as follows:
 - 1. Transportation – For all reasonable and necessary public transportation by economical means, the actual cost of fares, not to exceed costs for accommodations that are less than first-class if available. For the use of privately owned vehicles, if advantageous to the County, mileage shall be reimbursed at the prevailing state rate in effect at the time reimbursement is sought.
 - 2. Lodging – Reimbursement shall be made on an actual expense basis for the cost of lodging with a receipt required on all expenses claimed. Reimbursement for lodging shall be made provided travel distance is greater than fifty (50) travel miles each way from 222 St. Clair Street, Frankfort, Kentucky.
 - 3. Meals – Reimbursement shall be made on an actual expense basis for the costs of meals with a receipt required at the following rate

per day:

In State Rate

Breakfast (6:30 a.m. – 10:30 a.m.) up to \$7.00

Lunch (11:00 a.m. – 2:00 p.m.) up to \$11.00

Dinner (5:00 p.m. – 11:30 p.m.) up to \$15.00

Out of State Rate

Breakfast (6:30 a.m. – 10:30 a.m.) up to \$12.50

Lunch (11:00 a.m. – 2:00 p.m.) up to \$15.00

Dinner (5:00 p.m. – 11:30 p.m.) up to \$25.00

Note: Subsistence **cannot** be claimed for meals included in registration fees. This can be modified provided the claimant has documentation the meals were inadequate or not provided as advertised. These rates are subject to executive modifications based upon the rates set by the Commonwealth of Kentucky rules for travel.

- C. Other – Tolls, parking, baggage and car rentals are allowed on an actual expense basis when reasonable and necessary and with receipt.
- D. The Travel and Expense Reimbursement Voucher must be completed, including required receipts and submitted to the County Judge/Executive within ten (10) working days after returning from travel.
- E. All travel vouchers and required receipts shall be reviewed by the Department Head and Judge/Executive or designee. All Vouchers shall be signed by the employee claiming reimbursement.
- F. Any travel reimbursement to high costs area shall be subject to prior supervisory approval.

Section 3.59: Family and Medical Leave Act of 1993

- A. The Family and Medical Leave Act of 1993 does apply to all public agencies, including state, local and federal employers. However, employee eligibility is as follows:
- B. To be eligible for FMLA benefits, an employee must:
 - 1. Work for a covered employer,
 - 2. Have worked for the employer for a total of 12 months,
 - 3. Have worked at least 1,250 hours over the previous 12 months, and
 - 4. Work at a location in the United States or in any territory or possession of the United States where at least 50 employees are employed by the employer within 75 miles.

- C. The County shall display an informational poster in the work place that informs employees of the provisions of the FMLA of 1993.
- D. Franklin County has elected to utilize the Rolling 12 Month Period measured backward provision for FMLA. This procedure utilizes a 12 month period, during which each time an employee takes FMLA leave, the remaining leave entitled would be the balance of the 12 weeks which has not been used in the preceding 12 months.
- E. FMLA leave shall run concurrently with workmen's compensation leave.

Employee Relation Provisions

Section 3.60: Training and Career Development

- A. Each new employee shall be given an orientation on the job of the nature, purposes and programs of the department and the administrative policies adopted by the county. Each department head shall maintain a copy of all personnel policies so that should questions arise appropriate policies are available for review.
- B. The County Judge/Executive and Department Heads shall provide in-service training for regular full-time employees.
- C. The department heads, with the County Judge/Executive's concurrence, may permit or direct the attendance of employees at meetings, conferences, workshops or seminars intended to improve the knowledge, abilities and skills of county employees.
- D. Training shall include the following areas at a minimum:
 - 1. Orientation of new employees,
 - 2. Position specific (the job position/title as appointed),
 - 3. Safety training department specific as well as general safety,
 - 4. Employee standards of conduct training, and
 - 5. Career developmental training designed to improve job knowledge and productivity

Note: Training may be accomplished on site or at organized training seminars provided by educational institutions, the Commonwealth of Kentucky, federal government or other means.

- E. Attendance and participation in training arranged or provided by the county is mandatory and a condition of employment. The county will make every effort to provide training at reasonable times and with the convenience of the employee in mind. Training expenses will be paid by

the county, including travel, lodging, registration, and course materials. However, all course materials remain the property of the county to be maintained by the employee.

- F. Each employee shall sign certification that they have been given an opportunity to review the county's personnel chapter of the administrative code and received orientation on his/her job.

Section 3.61: Performance Evaluations

- A. The County Judge/Executive and Department Heads are responsible for evaluating the performance and merit of personnel under their respective jurisdictions. All department heads will be evaluated by the County Judge/Executive. Evaluations shall be conducted as follows: an interim review shall be completed no later than October 30 of each year and an Employee Evaluation will be completed beginning January 1, and completed no later than March 30 of each year; the evaluation shall include reference to the job description as a basis of performance. All Department Heads and supervisors and the County Judge/Executive and Deputy Judge/Executive shall be afforded County sponsored training to provide guidance in the conduct and administration of the Evaluations. The County Judge/Executive shall provide the Fiscal Court with a report of the overall performance of each department. The report shall be included with the annual budget proposal.

- B. The following elements shall be considered in each evaluation:

1. Job Knowledge/Skills:

Employees shall be evaluated on:

- Ability to perform job tasks at or above standard.
- Demonstrated work product.

2. Quality of Work:

Employees shall be evaluated on:

- Accuracy, neatness and thoroughness.
- Employee performance of assigned tasks.
- Supervisors will also consider the complexity of tasks that the employee has been assigned during the rating period.
- The employee's willingness to accept and to carry out orders.
- The employee's ability to transition into leadership positions and any demonstrated leadership traits.

3. Improvement in Performance:

Employees shall be evaluated on:

- Work progress.
- Employee's ability to perform tasks without close supervision

or assistance.

- Initiative to take charge of situations and accomplish assignments without guidance from the supervisor.
- If the employee is a supervisor, his or her ability to make decisions, delegate duties and assignments.
- How they give guidance to employees.
- Their contribution to the development of employees under their control will be evaluated. Should the employee be a “working supervisor” then both areas outlined above should be evaluated.

4. Productivity:

Employees shall be evaluated on:

- The amount, accuracy, and completeness of all work assigned to an employee.
- The employee’s ability to provide services to the community in a proficient and professional manner.

5. Employee Conduct:

Employees shall be evaluated on:

- Employee’s responsibility and interpersonal skills.
- Knowledge and adherence to written or oral rules and regulations.
- Employee’s ability to work well with others.

After the evaluation is completed; the employee shall be given a copy of the evaluation within five (5) working days. Each employee shall have five (5) working days to review the evaluation. If an employee is not satisfied with his/her evaluation he/she may request a meeting with the County Judge/Executive or the Judge’s designee within five (5) days of receipt of the evaluation to discuss the contents. Each employee may submit a written rebuttal to the evaluation for consideration and inclusion in the employee’s personnel file.

Employee evaluation shall be placed in the personnel file of that employee after having been signed by both the employee and his/her evaluator. The Deputy County Judge/Executive shall review all evaluations for correctness and completeness prior to the evaluations placement in the personnel files.

Section 3.62: Grievance Procedure

A. Any employee who believes that he or she has been aggrieved by any act or decision of the county may file a complaint with his/her department head within ten (10) working days of the incident in accordance with the following procedure:

1. An aggrieved person must submit a written statement on the

Franklin County Grievance Form to the department head setting forth the nature of the grievance and facts upon which the allegation is based. The written statement must be submitted within ten (10) working days of the alleged grievance.

2. The department head shall contact the complainant no later than ten (10) working days after receiving the written statement to establish meeting with the objective of resolving the matter informally. However, in no case shall the informal meeting be conducted sooner than five (5) working days nor more than thirty (30) calendar days after receiving the written statement. There shall be prepared written documentation of the discussions at the informal meeting, which shall be preserved in the file of the employee.
3. Within five (5) working days of the informal meeting, if no decision has been made by the department head or the decision of the department head does not satisfy the complainant, he or she may request a meeting with the County Judge/Executive or a designee by submitting a written request.
4. In this discussion of the grievance, the complainant may appear with counsel and participate in the discussion. The County Judge/Executive shall require the department head to participate in the discussion of the grievance, when it is brought before the County Judge/Executive. The County Judge/Executive shall issue a written decision on the matter within ten (10) working days. Written documentation of the discussion at the meeting shall be preserved in the file of the employee.

B. The decision of the County Judge/Executive shall be final. All complaints received by the department head and responses from the department head and the County Judge/Executive shall be kept by the county in the complainant's file.

Section 3.63: Classification Plan

PURPOSE

Position classification refers to the organizing of positions into groups of classes on the basis of their duties and qualification requirements. Position classification will facilitate proper employee compensation, selection, placement, promotion and training.

The basic purpose of a personnel management system is to assist in hiring and retaining well-qualified employees. This means the development of fair and

equitable recruitment, selection, promotion, pay and fringe benefit programs. Employees' salaries will be based on the value of the services they render. All parts of an effective personnel management system work together toward these goals.

ADMINISTRATION OF THE PLAN

A classification plan is not intended to fix positions permanently into classes. Instead, the plan must be reviewed continually to adapt to changing conditions. It is recommended that plan administration include responsibility for reviewing existing or new positions for purposes of classification, reclassification, and pay level determinations. However, all changes are subject to the approval of the Fiscal Court.

The county should normally conduct a comprehensive periodic review of the classification plan. Between comprehensive reviews, county officials responsible for personnel should conduct work audits of various positions to assure that the plan is current and corresponds with existing conditions.

Three specific types of changes in the plan itself are possible:

1. Abolition of a class:

A class shall be abolished when all positions in a class are abolished or when positions are significantly changed in the nature of work, duties, and responsibilities so that the class becomes inappropriate, inaccurate, or irrelevant.

2. Adjustment or revision of a class:

A class specification shall be adjusted or revised to meet changing circumstances and needs. Minor rewriting of class specifications will suffice in most cases.

3. The creation of a new class:

A new class shall be created when new work situations arise that are not covered by the established class specifications. New classes must be justified, and reflect substantially permanent rather than temporary situations. All proposed changes shall be carefully scrutinized to maintain service morale, validity of class concepts, and integrity of class relationships established in the classification and pay plans.

POSITION CLASSIFICATION PLAN

Definitions

Position classification is a system of identifying and describing the different kinds

of work in an organization and grouping together under common job titles those positions which are basically similar with respect to: (1) the nature of work, (2) the level of difficulty, (3) degree of responsibility, and (4) training and experience requirements. Position classification groups similar positions into the same class so they may receive common treatment in employment practices.

A position refers to a group of currently assigned duties and responsibilities requiring the full or part-time employment of one person.

An employee is an individual legally employed to perform the duties and carry out the responsibilities of a position. For classification purposes, it is the duties and responsibilities of the position, not the employee, that must be considered.

A class is a position or group of positions that have similar duties and responsibilities, required qualifications, and can be equitably compensated by the same wage range.

A class series consists of two or more classes which are substantially similar as to the types of work involved and differ only in rank as determined by the importance of the duties, degree of responsibility, and amount of training and experience required. Titles usually are differentiated by I, II, etc.

A class specification is the official written description of a class and consists of a class title, a general statement of the duties and responsibilities and level of work, essential functions to be performed, required skills and abilities, acceptable experience and training, and necessary special requirements, if any.

A classification plan is the official or approved system of grouping positions into appropriate classes and includes an index to the class specification, a list allocating each existing position to proposed or existing classes, and rules for the administration of the plan.

Uses of Position Classification

Position classification is the foundation upon which are constructed all major phases of a personnel program. Each class specification contains an analysis of the nature and degree of difficulty and responsibility involved in the work of the class and provides a statement of the qualifications that are required for successfully performing its duties and responsibilities.

For the Administration, the position classification plan:

1. Forms the basis of an objective recruitment program;
2. May be used by each department head in perfecting or revising organizational structure, clarifying lines of authority, fixing responsibility, and weighing personnel requirements;

3. Provides the background information for setting salary and wage plans to assure equal pay for equal work;
4. Serves as the basis for establishment of work-related written, oral, performance or other examinations; employee efficiency rating programs; employee training and counseling; regulations governing original employment, promotion, transfer, demotion, layoff, and discharge; safety programs; and research studies;
5. Provides uniform job terminology for payroll activities and for the use of all persons concerned with personnel activities;
6. Facilitates the processes of budgeting, and the most advantageous placement and use of personnel;
7. Keeps management informed of personnel assignments at all times and helps locate duplication of functions, faulty organizations, and bottlenecks in the flow of work; assists in planning for increases or decreases in work loads; and generally provides information necessary for practically all problems involving the management of personnel.

For the Employee, a well developed position classification plan:

1. Gives the employee a better concept of the activities of his/her own department, of his/her own work assignment, and of the County services as a whole;
2. Shows him/her avenues of advancement, which may serve as an incentive to improve his/her status through more intensive attention to duties and by securing additional training or education;
3. Allows him/her to see the position and its duties and responsibilities rather than the person occupying the position. An objective look at his/her own position and other positions may answer many questions that have affected an employee's morale. The position classification plan shows the employee that classification and pay are based on the level of difficulty of assigned duties and responsibilities, not on how well the employee is performing his/her duties when the supervisor evaluates for purposes of salary increments or promotion;
4. Assures the employee that his/her position has been reviewed objectively in relation to other positions and that political and other unrelated considerations have not been used as the basis of its classification and pay.

Section 3.64: Compensation Plan

PURPOSE

The objective of the pay plan is to provide equal pay for equal work and to provide a pay range for each class or position in the county that will allow it to

retain employees and to compete in the job market with other private and public employers in the area.

RELATIONSHIP TO THE CLASSIFICATION PLAN

In order to assure equal pay for equal work, it is necessary to know what the duties and responsibilities of each position are and what training, experience, and skills are needed to carry out these duties. This requires a large body of job knowledge, which can best be obtained from a classification plan. The classification plan does not set the pay rate. It merely provides that all those positions in the same class shall have the same pay range. The pay plan provides for ranges of pay to which positions are assigned. The integrity of the classification plan may be maintained in the pay plan if the relative levels of worth among the classes are maintained in allocating classes to the salary schedule.

Factors in Determining Pay Allocations

Many factors go into determining the relative worth of a group of positions. These include:

1. The required skills, knowledge and ability;
2. The kind and level of work required;
3. The nature and extent of supervision given and received;
4. Freedom of action;
5. Required creativity;
6. Responsibility for public contracts;
7. Special working conditions; and
8. Training and experience requirements.

Application of Pay Plan

- A. Ranges of pay are intended to be base pay for a standard workweek in various classes of work as defined by county policy.
- B. Pay rates are not intended to include special assignment differentials, reimbursement for travel expenses, or other authorized expenses incurred in connection with official business.
- C. The minimum rate of each class should be the normal entering rates. Departures from this should be made only if necessary to fill a vacancy despite vigorous recruitment efforts or as recognition of exceptional qualifications.
- D. Progression through the pay range will depend on funding availability. However, under normal circumstances, the employee may receive a pay

increase when:

1. An across-the-board or percentage increase is budgeted by the Franklin County Fiscal Court;
 2. Merit increases are awarded due to outstanding performance; or
 3. A higher degree of certification in the class of employment is attained.
- E. A promotion may require an adjustment in pay to reach the minimum pay rate of the new classification. Further progression through the pay range is governed by the same criteria as set forth in D above, as well as elsewhere in these policies and procedures.
- F. The pay plan set forth on the following pages uses the federal minimum wage as the base point for all classes.

Section 3.65: Classification of Employees

There shall be two classifications of employees as follows:

A. Administrative personnel:

Administrative personnel shall be those persons whose primary duty is the performance of office or other non-manual work directly related to management policies or general business operations of the Fiscal Court, and shall also include any employee who customarily and regularly directs the work of two or more other employees. Administrative personnel shall be compensated with a yearly salary which will be paid bi-weekly. The employment of persons holding administrative positions created by the Fiscal Court under the provisions of this administrative code shall be continuous into the new term of the court except for those persons who are appointed for specific terms of office.

B. Hourly personnel:

Hourly personnel shall be those full time employees not classified as administrative. Hourly employees shall be compensated with an hourly rate of pay for each hour of work performed or paid leave to which they are entitled under this personnel policy. The employment of persons holding hourly positions created by the Fiscal Court under the provisions of this administrative code shall be continuous into the new term of the court.

C. The Fiscal Court hereby establishes five pay grades for hourly employees. The base hourly compensation for each grade shall be uniform for all

employees, except that the base hourly compensation of existing hourly employees whose base rate of hourly compensation is greater shall remain at the greater rate, unless changed by court order. The Fiscal Court shall establish by court order the base pay for each of the five grades during the month of April of each year. These rates can be changed at any time by court order. Yearly increments shall be added to the base pay along with any recommended merit raises.

- D. The following is a general description of the skill level expected of each grade. These job descriptions explain the primary responsibilities of the positions. The tasks required to be performed are not limited to those mentioned herein. County employees may be required to perform any task that may be required in the efficient operation of county government, provided the employee is qualified to perform the duties.
1. **Grade 1-H:** Consists of positions where the employee is expected to possess no special skills other than those generally held by members of our society. Examples would be a cook, janitor and drivers of personal type vehicles, or office positions such as receptionist where no office skills are required.
 2. **Grade 2-H:** Positions which require easily acquired skills. Examples would be light equipment operators, secretarial positions that require typing or similar skills.
 3. **Grade 3-H:** Positions which require specific skills, acquired through specialized training or extensive experience operating complicated equipment. Examples would be backhoe operators, carpenter's helpers, mechanic helpers and computer operators.
 4. **Grade 4-H:** Positions which require specialized skills such as computer operators with the ability to do moderate programming tasks, auto body repairman, or operators of specialized equipment.
 5. **Grade 5-H:** Positions which require the highest level of skills necessary to carry on the function of county government. Examples would be positions operating the most complicated construction equipment such as graders, hydraulic excavators, pavers, bulldozers, also first class mechanics and carpenters.
- E. The Fiscal Court/County Judge Executive shall establish every position to be filled by an hourly employee and shall determine the grade of that position.
- F. The County Judge/Executive can abolish an hourly position with Fiscal Court authorization. The employee holding the abolished position may be either terminated or reassigned to similar position in another department.
- G. The County Judge/Executive may transfer hourly employees when a need exists and Fiscal Court approves the transfer.

- H. The Fiscal Court hereby establishes six (6) pay grades for administrative employees. The base annual compensation for each grade shall be uniform for all employees, except that the base annual compensation of existing administrative employees whose base annual compensation for the pay grade assigned to their position shall remain at the greater rate unless changed by written request of the County Judge/Executive and approved by the Fiscal Court. The County Judge/Executive shall establish not later than the first Monday in May in the year that county officials are elected the base annual salary for each administrative pay grade. Employees re-appointed shall keep their current salaries if it is greater than the newly established base salary. The base salary schedule established shall be increased by the percentage rise in the cost of living index on an annual basis or when merit raises are awarded for exceptional performance.
- I. The following is a general description and pay grades of the positions within county government:
1. **Grade 1-A:** Administrative personnel whose duties are primarily clerical
 2. **Grade 2-A:** Administrative personnel, whose duties and responsibilities include higher levels of clerical skills, moderate supervisory duties and office management authority.
 3. **Grade 3-A:** Administrative personnel whose duties include first line supervision and administrative assistants whose primary responsibilities are to execute administrative decisions.
 4. **Grade 4-A:** Administrative personnel whose positions require high levels of technical competence and the position carries major responsibilities.
 5. **Grade 5-A:** Administrative personnel involved in developing and executing the orders and policies of the Fiscal Court and the County Judge/Executive.
 6. **Grade 6-A:** Commissioners, Department Heads, executive assistants and the Deputy Judge/Executive.

CHAPTER 4

PURCHASES AND CONTRACTS

Section 4.1: Authorization of County Contracts

Every contract of Franklin County, change or amendment thereto, shall be authorized or approved by the Franklin County Fiscal Court before it is executed by the County Judge/Executive, and every contract, except small purchases, shall be prior approved by the County Attorney as to form and legality.

Note: The Franklin County Fiscal Court is in the process of taking the required steps to adopt the Commonwealth of Kentucky's Procurement Code. Until such time as the Procurement Code has been adopted Chapter 4 of the Franklin County Administrative Code shall remain in force.

Section 4.2: Selection of Vendors and Contractors (Procedures for Sealed Bidding)

- A. The Franklin County Judge/Executive shall place an advertisement in the local newspaper of the largest circulation in the County and on the County website at least once, but not less than seven (7) nor more than twenty-one (21) days before a bid opening. The advertisement will include the time and place the bid will be opened, and the time and place where the specifications may be obtained. If the durability of the product, the qualities of the service or other factors are to be considered in the bid selection, such factors shall be stated in the advertisement.
- B. The County Judge/Executive shall open all bids publicly at the time and place stated in the advertisement and shall select the lowest and/or best bid by a qualified bidder. If the lowest bid is not selected, the reasons for the selection shall be stated.
- C. The Franklin County Judge/Executive shall submit the bid selected to the Fiscal Court for approval.
- D. The County Judge/Executive shall sign the contract on behalf of the County upon approval of the Fiscal Court.

Section 4.3: Procedures for Determinations of Qualifications of Bidders

- A. Each bidder shall furnish in writing information pertaining to all contracts completed in the past two years and a listing of all the financial institutions used.
- B. In the event the information is conflicting or incomplete, the County Judge/Executive shall make further inquiries of the bidder.

- C. The contractors who have demonstrated, by past performance, the ability to perform satisfactorily in accordance with contracts on a timely basis and have shown a sound financial structure shall all be considered qualified.
- D. The Franklin County Judge/Executive shall make a written determination as to the extent or responsibility of each bidder and shall maintain a list of those who qualify as responsible contractors for particular types of supplies, services and construction items.
- E. A new business may be exempt from the qualification requirements where circumstances warrant.

Section 4.4: Procedures Prerequisite to Use of Negotiated Process

- A. The negotiated process may be used instead of advertisement for bids if the amount exceeds \$20,000 in the following circumstances:
 - (1) An emergency exists
 - (2) All bids received exceed the amount budgeted.
- B. Before an emergency is declared, the County Judge/Executive shall determine whether or not a delay in obtaining bids will result in danger to health, safety or property.
- C. The County Judge/Executive shall certify the existence of any emergency and file a copy of such certificate with the chief financial officer of the County.

Section 4.5: Procedures for Negotiated Process

- A. When the prerequisites have been met for use of the negotiated process, the County Judge/Executive shall proceed to negotiate with one or more suppliers in order to obtain the most advantageous terms for the County.
- B. Professional services shall be negotiated with such persons as are properly licensed to perform such services.
- C. Where more than one bid is received, and all are in excess of the amount available, the lowest three (3) bidders shall be notified that the County desires to negotiate a contract for a lesser amount based on revised quantities or specifications and fix a time limit for submission of proposals.
- D. The County Judge/Executive examines the proposals received and shall negotiate with the suppliers for the terms most advantageous to the

County.

- E. The best-negotiated proposal shall be submitted to the Fiscal Court for approval and award.

The County Judge/Executive shall prepare a record of all negotiated contracts, showing the items and quantities acquired, name of suppliers, cost and date of contract.

Section 4.6: Small Purchase Procedures

- A. With prior approval of the County Judge/Executive or designee, authorized persons may purchase for their respective departments any supplies, services, etc., at a cost of five thousand dollars (\$5,000) or less. However, a purchase order or vendor's billing for the purchase shall be submitted to the County Judge/Executive for review.
- B. Supplies, services or construction normally supplied, as a unit shall not be artificially divided for the sole purpose of using small purchase procedures.
- C. Before purchasing any supplies, services, at a cost exceeding five thousand dollars (\$5,000), but less than the amount specified by state law for bid purposes (\$20,000 as of 12/07), authorized persons shall submit to the County Judge/Executive a purchase order containing specifications, quantities desired, and price quotes (three when possible) for the desired supplies or services. The County Judge/Executive shall determine the need for the item(s) requested, the approximate cost, and whether or not the expenditure is provided for in the budget. The County Judge/Executive shall then select the price most advantageous to the County and purchase accordingly. If two or more local suppliers offer the same product at the same price, the County Judge/Executive may purchase or authorize a purchase from suppliers on a rotating basis.
- D. A copy of the billing from the vendor along with a copy of the signed purchase order shall be submitted to the County Treasurer at the time of approval.
- E. All purchases shall be debited from the budget appropriation for the department making or requesting such purchase.
- F. No purchase shall be made for an amount that exceeds the sum budgeted and appropriated by the Franklin County Fiscal Court for such purchases.

Section 4.7: Storage and Inventory Control

- A. All County property shall have affixed to it a property control number tag. All Department Heads will ensure that they maintain in their files an updated inventory of all property in their possession.
- B. All County owned vehicles shall have appropriate signage indicating the vehicles are County owned and are to be used for official business as permitted.
- C. Once a year (preferably during the budget cycle) all Franklin County's property will be inventoried by each department or agency. These updated inventories will be submitted to the County Judge/Executive's office for reconciliation and filing in the County's master inventory book.
- D. All County inventories shall contain an item inventory number, an item description, date of purchase if known, purchase amount if known, and office/department/agency where property is assigned for use.

Section 4.8: Procedures for Disposition of Surplus Property

When property becomes surplus due to procurement of new items the following steps will be taken:

- (1) The item will be identified on the inventory as a surplus item.
- (2) All offices and agencies will be contacted and informed that a surplus item exists. If appropriate, items can be transferred within the County as long as an accurate audit trail exists and appropriate change documents are prepared transferring the item from one agency to another.
- (3) Items that are not transferred will be transported to a location to be determined by the County Judge/Executive and stored pending disposition.
- (4) Surplus property shall be disposed of pursuant to KRS 45A.425. In the event no sales can be had, after offer, the Fiscal Court may declare the property in question scrap and dispose of accordingly.

CHAPTER 5

DELIVERY OF COUNTY SERVICES

County Road Department

Section 5.1: Establishment of County Road Department

- A. There is hereby created and established a Franklin County Road Department consisting of a County Road Superintendent and such other employees of said department as may from time-to-time be provided in the job classifications and approved by the Franklin County Fiscal Court.
- B. The Franklin County Judge/Executive with the consent of the Fiscal Court shall appoint the County Road Superintendent.
- C. The Franklin County Fiscal Court shall set the number and compensation of all employees of the road department in Chapter 3, Personnel Administration, Part II, and Compensation Plan of this Code.
- D. The Franklin County Judge/Executive in accordance with the provisions of Chapter 3, Personnel Administration, therefrom, shall make all appointments to the road department and removals.

Section 5.2: Duties of the Road Superintendent

- A. The duties of the Franklin County Road Superintendent shall be set forth in the Job Classification located in Chapter 3, Personnel Administration, Part II, Classification and Compensation Plan.
- B. The County Road Superintendent shall be responsible for the performance of the road department and its functions, and all persons who are employees of the road department shall be subject to the supervision and direction of the road superintendent.

Section 5.3: County Road Inventory/Condition

- A. The Franklin County Judge/Executive shall maintain a map that clearly identifies all the county maintained roads.
- B. The County Road Superintendent shall contact all area utilities (city and county water services) prior to digging, surfacing, or resurfacing any county road.

Section 5.4: Specifications for County Roads

- A. The Franklin County Fiscal Court in accordance with KRS 179.470 may accept roads into the County Road system.
- B. Prior to Fiscal Court consideration of a road for acceptance into the County Road system, the County Road Superintendent shall certify that the following specifications have been met or exceeded:
 - 1. Surveyed legal description of the proposed road prepared by a licensed Kentucky registered surveyor;
 - 2. A copy of all property owner's deeds and property of good, marketable and fee simple title in the property of the owners proposing to deed the road right of way to the County;
 - 3. Certification by the property owners that fences, buildings, gates and cattle gates have been removed from the proposed County road right of way;
 - 4. Acceptable road specifications shall be recommended by the road superintendent and approved by the Franklin County Fiscal Court regarding, but not limited to, right of way width, pavement width, pavement specifications and grade and drain;
 - 5. The road shall be properly ditched and tiled with cross drain pipes of adequate size and road banks stabilized in grass or other suitable ground cover;
 - 6. Once a road has been accepted into the county road system the county shall be obligated to maintain the road. This maintenance will only be performed within the county's right of way or where easements have been granted by property owners.
 - 7. The adoption of minimum standards of construction for all roads which may be included within the Franklin County Road System and accepted for any future maintenance by Franklin County is contained in Ordinance No. 9, 2006 Series. Any future amendments shall be considered ratified and incorporated as part of this Code.

Section 5.5: Other County Services

County Fire Department

The County Fire Department is responsible for fire fighting and emergency response in the unincorporated areas of Franklin County. The Fire Department also supports the Frankfort Fire Department when the situation dictates.

County Planning, Zoning and Code Enforcement Office

This office provides building and electrical inspections for all new construction

within Franklin County. It utilizes the Kentucky Building Code, the CABO One- and Two – Family Dwelling Code and the National Electric Code. The Office also provides planning and zoning services for the residents of Franklin County, as well as performing administration of the Franklin County Zoning Ordinance. (Ordinance #7, 2001 Series, Amending Ordinance #2, 1993 Series — Electrical Fees) (Ordinance #6, 2001 Series, Amending Ordinance Adopted June 23, 1998), which may be amended as required by Kentucky law then in effect and to which reference is made for particular amendments.

Occupational Tax Office

This office collects and maintains occupational license fees, maintains a listing of all businesses conducting business within the County, receives all occupational taxes and posts it to appropriate accounts and collects all delinquent occupational license fees. (Ordinance No. 14, 2007 Series, as amended, and as may be amended by any future amendments, which are hereby ratified and for which reference is made for additional requirements

Lakeview Park

Franklin County's Lakeview Park was established in July 1991. It is 135 acres of rolling landscaped grassland on Georgetown Road, Hwy. 460. The main attraction of the Park is the Carter House, a two-story brick colonial style home named for the former owners of the Carter family farm. The Park also includes pavilions, softball complexes, soccer fields, horse show rings, a walking/running path, playground and a nine hole, par 3 family golf complex and driving range.

The Franklin County Lakeview Park Rental Policy is adopted on October 30, 1997, in Fiscal Court Order Book 17, page 326, and as may be amended by any future amendments, which are hereby ratified and for which reference is made for additional requirements.

CHAPTER 6

OPERATION OF FRANKLIN COUNTY FISCAL COURT

Section 6.1: Procedures for Meetings of Fiscal Court

- A. The first meeting of Franklin County Fiscal Court upon adoption of this Ordinance will be on Thursday, July 31, 2014. Thereafter, meetings may be held every three weeks on alternate days of Friday morning with work session at 9:00 a.m. and Court convening at 10:00 a.m., and on Thursday evening with work session at 5:00 p.m. and Court convening at 6:00 p.m. With advance notice, on an as needed basis, the Fiscal Court may schedule special meetings at different days and times other than those outlined above.
- B. Fiscal Court meetings in which any public business is discussed or any action taken shall be open to the public.
- C. The County Judge/Executive may call a special meeting of the Fiscal Court for the purpose of transacting any business over which the Fiscal Court has jurisdiction.
- D. Every four years following the swearing in of the new administration of the newly-elected county officials, the Franklin County Fiscal Court will have its first meeting as soon as practical to conduct the business of the county.

Section 6.2: Presiding Officer

The County Judge/Executive shall be the presiding officer of the Fiscal Court at all regular and special meetings.

Section 6.3: Quorum

Not less than a majority of the members of the Fiscal Court shall constitute a quorum for the transaction of business. No proposition shall be adopted except with the concurrence of at least a majority of the members present.

Section 6.4: Order of Business

- A. At each meeting of the Fiscal Court, the following regular order of business shall be observed unless dispensed with by a majority vote of the members present.
 - 1. Call to Order and Roll Call of members to establish a quorum
 - 2. County Judge/Executive Report

3. Presentations to the Court
4. Approval of Minutes
5. First or Second Readings of Ordinances before the Court
6. Resolutions before the Court
7. Appointments, if any
8. Financial issues before the Court
9. Departmental Reports, if any
10. Other Business
11. Closed Sessions if required
12. Adjournment

- B. The County Judge/Executive shall prepare an information package for all Court members containing all items on the agenda.

Section 6.5: Fiscal Court Records and Minutes

- A. The Fiscal Court Clerk shall attend all meetings of the Franklin County Fiscal Court.
- B. The Franklin County Fiscal Court Clerk shall be responsible for maintenance and management of all county records. The Fiscal Court Clerk shall keep an index of all records and make such index and records available for public inspection in accordance with KRS 61.870 to 61.884.

Section 6.6: Ordinances, Orders and Resolutions

- A. An ordinance means a general act of the Franklin County Fiscal Court enforceable by law or an appropriation of money; all other acts are motions, orders or resolutions.
- B. All ordinances shall be introduced in writing; relate one subject only; and contain a title, which expresses the subject matter concisely.
- C. There shall be inserted between the title and the body of each Franklin County ordinance an enacting clause written in the following manner; "Be It Ordained by the Fiscal Court, the County of Franklin, Commonwealth of Kentucky."
- D. County Ordinances shall have a first reading followed by a second reading and adoption by the Fiscal Court.
- E. County Ordinances shall be amended by ordinance and only by setting out in full each amended Section.
- F. No County Ordinance shall be passed until it has been published pursuant to KRS Chapter 424. Prior to passage, ordinances may be published in summary. Publication shall include the time, date and place within the

County where a copy of the full text of the proposed ordinance is available for public inspection. In the event consideration for passage is continued from the initial reading to a subsequent date, no further publication is necessary provided that at each meeting the time, date and place of the next meeting is announced.

- G. All County ordinances and amendments shall be published and shall be placed on the County's website after passage and may be published in full or in summary.

CHAPTER 7

OTHER COUNTY POLICIES

Section 7.1: Equal Opportunity

A. General Policy:

It has been, and will continue to be, the policy of Franklin County, Kentucky (hereinafter referred to as "The County"), to recognize and abide by the provisions of Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, and Executive Order 11246 and amendments thereof.

B. Equal Opportunity Officer:

A member of the staff of the County shall be appointed by the County Judge/Executive to serve the functions of the Equal Opportunity Officer.

The responsibilities of the Officer shall include, but not be limited to, the following:

1. Consult with and advise on matters pertaining to the administration of an equal opportunity program for the County staff.
2. As assigned, establish and maintain contact as the County's liaison with the community generally and minority groups in particular.
3. As assigned, work with schools, minority group agencies and organizations to encourage and assist with implementing equal opportunity in employment, training, housing, and business development as pertains to the programs carried out by the County.
4. Obtain information about human rights programs of Federal, State, and local agencies as well as special interest groups promoting equal opportunity for all the citizens of the County.
5. Prepare reports, as needed, on equal opportunity practices and programs.
6. Maintain liaison and continuing working relationship with State Officials on Equal Opportunity.
7. Review and monitor all contractual agreements with the County to assure achievement of equal employment opportunity, open occupancy, and public accommodation objectives.

8. Assist the County and Contractors in preparing effective program criteria; compile public information for the County to disseminate; implement equal opportunity policies and statements; and prepare related correspondence including recommendations on equal opportunity practices.
9. Investigate formal complaints of alleged discrimination by parties to agreements and recommend procedures to ensure compliance to all County activities for the promotion of equal opportunity objectives.

C. County Staff:

The County has taken, and will continue to take, steps to assure nondiscrimination in its employment practices, including hiring, compensation, working conditions, promotions, demotions, or terminations of its employees. Overt efforts will continue to be made to provide opportunities for equal employment and equal compensation within the County staff.

Section 7.2: Franklin County Investment Policy

The Fiscal Court of Franklin County hereby adopts the following investment policy and strategy with respect to the investment of all funds, as required by KRS 66.480.

The County authorizes the following to invest the County's funds, pursuant to the terms and conditions of Resolution #20, (1994 Series):

- A. Funds not needed for current expenses or obligations of the County may be invested in any of the following:
 1. Obligations of the United States and of its agencies and instrumentalities, including obligations subject to repurchase agreements, provided that delivery of these obligations subject to repurchase agreements is taken either directly or through an authorized custodian. The investments may be accomplished through repurchase agreements reached with sources including, but not limited to, national or state banks chartered in Kentucky.
 2. Obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States or a United States Government agency, including but not limited to:
 - a. United States Treasury
 - b. Export – Import Bank of the United States

- c. Farmers Home Administration
 - d. Government National Mortgage Corporation; and
 - e. Merchant Marine bonds;
3. Obligations of any corporation of the United States government, including but not limited to:
 - a. Federal Home Loan Mortgage Corporation;
 - b. Federal Farm Credit Banks;
 - c. Bank for Cooperatives;
 - d. Federal Intermediate Credit Banks;
 - e. Federal Land Banks;
 - f. Federal Home Loan Banks;
 - g. Federal National Mortgage Association;
 - h. Tennessee Valley Authority
 4. Certificates of deposit issued by or other interest bearing accounts of any bank or loan institution which are insured by the Federal Deposit Insurance Corporation or similar entity permitted by KRS 451.240 (4).
 5. Uncollateralized certificates of deposit issued by any bank or savings and loan institution rated in one (1) of the three (3) highest categories by a nationally recognized rating agency;
 6. Bankers' acceptance for banks rated in one (1) of the three (3) highest categories by a nationally recognized rating agency;
 7. Commercial paper rated in the highest category by a nationally recognized rating agency.
 8. Bonds or certificates of indebtedness of this state and of its agencies and instrumentalities; and
 9. Securities issued by a state or local government, or any instrumentality or agency thereof, in the United States, and one (1) of the three (3) highest categories by a nationally recognized rating agency.
- B. The investment authority outlined above shall be subject to the following limitations:
1. The amount of money invested at any time by the County in one (1) or more of the categories outlined above shall not exceed twenty (20) percent of the total amount of money invested by the County; and

2. The County shall not purchase any investment on a margin basis or through the use of any similar leveraging technique.
 3. The County shall not purchase any investment where the principal funds are at risk or loss.
- C. The County hereby adopts the following standards for written agreements pursuant to which investments are made:
1. The Fiscal Court should determine who is authorized to sign the written agreement, whether that agreement needs to be signed by more than one party, whether the agreement as whole will need to be approved by the Fiscal Court.
 2. The County should include any other requirements that it may want to make as a standard for the written agreement.
- D. The County hereby adopts the following procedures for monitoring controls, deposit or retention of investments and collateral:
1. Working with the County's investment advisor, the County should make such determinations as to how often a report will be received on its deposits.
 2. Where the deposits or investments will be physically located.
 3. Whether a third party custodian is desired or required for the collateral;
 4. Whether the County actually wants to take possession and control of the investment security or if that will be left with the County's bank/trustee.
 5. The County should include any additional controls recommended by the investment advisor or the County auditor.
- E. The County hereby adopts the following standards for diversification investments, including diversification with respect to the types of investments and firm with which the County transacts business:
- The County will determine how much of the investment should be in any one type of investment and how all transactions are to be executed.
- F. The County shall use the following standards for the qualification of investment agents authorized to transact business with the County:

The Fiscal Court should determine what criteria to use in selecting an investment advisor, such as licensing to do business in Kentucky, the investment advisor's experience, the capitalization of the investment advisory, or any other prudent factors the Fiscal Court deems appropriate in its determination of whether a particular firm is capable and qualified to transact business with the County.

- G. All the County's investment reports will be prepared and submitted on a quarterly basis by the County Treasurer.

Section 7.3: Department of Planning and Zoning and Building Code Enforcement Inspection Policies

Purpose

In order to ensure that all persons are treated equally and fairly, the following policies have been adopted to outline how, when and in what manner electrical and building construction projects will be conducted.

Electrical Inspections

1. All electrical installations require an electrical permit to be issued.
2. Only electrical contractors currently licensed by Franklin County, with current Workers Compensation and Liability Insurance (see homeowner exception) may file for an electrical permit.
3. If a building permit is required for the construction, no electrical inspection can be scheduled or completed until such time as the building permit is issued.
4. Inspections will be scheduled on a first-come, first-served basis.
5. With the exception of commercial and industrial projects, which are billed to electrical contractors after completion of the project, no inspection will be performed until the required inspection fee has been paid. See Fee Schedules for applicable fees.
6. If an electrical inspection is disapproved, the electrician or property owners, performing their own work, will be required to pay the applicable reinspection fee. See Fee Schedules for applicable fee.
7. No project will be scheduled for a reinspection, if it was previously denied, until the reinspection fee has been paid.

8. On single-family and duplex construction, no Temporary for Service Only Inspections will be performed. At the time the Final Inspection is completed and approved, the Certificate of Compliance will be sent to the applicable utility company for hook-up.
9. If work, which is required to be inspected, is covered prior to the inspection, the Planning & Building Codes office will fail the inspection and will require that all work be removed so that the inspection can be made. In this event, a reinspection fee will be required to be paid prior to the Planning & Building Codes Office scheduling the reinspection.
10. All electrical inspections will be performed using the National Electrical Code, edition adopted by the Department of Housing, Buildings and Construction.
11. Homeowner Exception: Homeowners performing their own electrical work on the residence, in which they live, may perform their own electrical work and may apply for an electrical permit from the Office of Planning, Zoning & Building Code Enforcement. The homeowner is also required to file an affidavit certifying that they are performing their own work.

Building Inspections

1. No building inspection will be scheduled until such time as the building permit has been issued and obtained by the contractor or property owner.
2. All inspections will be scheduled on a first-come, first-served basis.
3. At the time the footer inspection is made, all property pins shall be in place and string lines run so that it can be determined that the building setback lines are in conformance with the subdivision plat or zoning ordinance.
4. Letters from Engineers certifying the construction of the footer and the zoning setback lines will not be accepted, unless an inspection has been scheduled, and our office fails to notify the property owner or contractor that the inspection cannot be made. Letters from Engineers will be accepted **ONLY IF** the Planning & Building Codes Office requests it when there is a disagreement on whether the structure meets the required setbacks and the Planning & Building Codes Office agrees to accept an engineer's or surveyor's survey showing compliance with the required zoning setback lines.
5. Contractors or Property Owners, or their agents are required to meet the inspector on the site at the time of the inspection.

6. A set of the construction plans, approved by the Department of Planning, Zoning & Building Code Enforcement, will be required to be on the site at the time of inspection.
7. Framing and Final Inspections will be scheduled only after both electrical and plumbing inspections have been approved.
8. If an inspection is disapproved, the contractor or property owner will be required to pay the applicable reinspection fee (See Fee Schedules).
9. No reinspection will be scheduled until such time as the reinspection fee has been paid.
10. No structure shall be occupied, wholly, or in part, unless and until a Certificate of Occupancy has been issued by the Department of Planning, Zoning & Building Code Enforcement.
11. If work, which is required to be inspected, is covered prior to the inspection, the inspector for the Planning & Building Codes office will fail the inspection and will require that all work be removed so that the inspection can be made. In this event, a reinspection fee will be required to be paid prior to the Planning & Building Codes Office scheduling the re-inspection.
12. At the time the application for building permit is made, the applicant will be required to choose which code (Kentucky Building Code or CABO One- and two-family Dwelling Code) by which the construction project will be reviewed and inspected.

Section 7.4: Acceptable Uses of the Internet and County E-mail

1. Acceptable Uses of the Internet and County E-mail

The County-provided Internet and e-mail access is intended for business purposes only. The County encourages the use of the Internet and e-mail because it makes communication more efficient and effective. However, Internet service and e-mail are County property, and their purpose is to facilitate County business. Every staff member has a responsibility to maintain and enhance the county's public image and to use County e-mail and access to the Internet in a productive manner. To ensure that all employees are responsible, the following guidelines have been established for using e-mail and the Internet. Any improper use of the Internet or e-mail is not acceptable and will result in appropriate disciplinary action, up to and including dismissal.

2. Unacceptable uses of the Internet and county E-mail

The County Internet and e-mail access may not be used for transmitting, retrieving or storage of any communications of a discriminatory or harassing nature or materials that are obscene or X-rated. Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about race, age, disability, religion, national origin, physical attributes or sexual preference shall be transmitted. No abusive, profane or offensive language is allowed to be transmitted through the County's e-mail or Internet system. Electronic media may not be used for any purpose which is illegal, deceptive or against County policy or contrary to the County's best interest. Solicitation of non-county e-mail or Internet for personal gain is prohibited. Employees are prohibited from chat room interchange unless established by government agencies.

3. Communications

Each employee is personally responsible for the content of all text, audio or images that they place or send over the county's e-mail/Internet system. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else or someone from another entity. All messages communicated on the County's e-mail/Internet system should contain the employee's name. Excessive personal communications are prohibited.

Any messages or information sent by an employee to another individual outside the County via an electronic network (e.g., bulletin board, online service or Internet) are statements that reflect on the County. While some users include personal "disclaimers" in electronic messages, there is still a connection to the County and the statements may be tied to the County.

All communications sent by employees via the County's e-mail/Internet system must comply with this and other County policies and may not disclose any confidential or proprietary information.

4. Software

To prevent computer viruses from being transmitted through the County's e-mail/Internet system, there will be no unauthorized downloading of any unauthorized software. All software downloaded must be registered to the County. Employees should contact the County Judge/Executive if they have any questions.

5. Copyright Issues

Copyrighted material belonging to entities other than Franklin County may not be transmitted by employees on the County's e-mail/Internet system. All employees obtaining access to other companies' or individuals' materials must respect all copyrights and shall not copy, retrieve, modify or forward copyrighted materials, except with permission, or as a single copy, to reference only. Failure to observe copyright or license agreements may result in disciplinary action up to and including termination.

6. Security

The County routinely monitors usage patterns for its e-mail/Internet communications. The reasons for this monitoring are many, including cost analysis/allocation and the management of the County's gateway to the Internet. All messages created, sent or retrieved over the county's e-mail/Internet are the property of the County and should be considered public information. The County reserves the right to access and monitor all messages and files on the County's e-mail/Internet system. Employees should not assume electronic communications are totally private and should transmit highly confidential data in other ways. Passwords and sign-on access codes shall not be shared with anyone including co-workers, family members, or other unauthorized personnel. A county employee will be designated as system administrator for e-mail/Internet purposes.

7. Violations

Any employee who abuses the privilege of County-facilitated access to e-mail or the Internet will be subject to corrective action up to and including termination. If necessary, the County reserves the right to advise appropriate officials of any suspected illegal violations.

FRANKLIN COUNTY E-MAIL AND INTERNET USER AGREEMENT

EMPLOYEE AGREEMENT

I have received a copy of Franklin County Fiscal Court's Policy Guidelines on e-mail/Internet acceptable use, Section 7.4 of the Administrative Code. I recognize that the County's e-mail/Internet is to be used for conducting the County's business only. I understand that use of this equipment for private purposes is strictly prohibited.

As part of the Franklin County Fiscal Court and user of Franklin County Fiscal Court's gateway to the Internet and e-mail system, I understand that this e-mail/Internet County guideline applies to me.

I have read the aforementioned document and agree to follow all policies and procedures that are set forth therein. I further agree to abide by the standards set in the document for the duration of my employment with Franklin County Fiscal Court.

I am aware that violations of this County guideline on acceptable e-mail/Internet use may subject me to disciplinary action, up to and including dismissal from employment.

I further understand that my communications on the Internet and e-mail reflect Franklin County Fiscal Court worldwide to our consumers, customers and suppliers. Furthermore, I understand that this policy can be amended at any time.

Employee Signature

Date

Employee Printed Name

Received by:

County Judge/Executive Signature or designee

Date

FRANKLIN COUNTY ADMINISTRATIVE CODE

EMPLOYEE AGREEMENT

I have received a copy of Franklin County Fiscal Court's Administrative Code,
Ordinance # _____, dated _____

I have read the aforementioned document and agree to follow all policies and procedures
that are set forth therein. I further agree to abide by the standards outlined in the document for
the duration of my employment with Franklin County Fiscal Court.

Furthermore, I understand that this Ordinance may be amended at any time.

Employee Signature

Date

Employee Printed Name

Received by:

County Judge/Executive Signature or designee

Date